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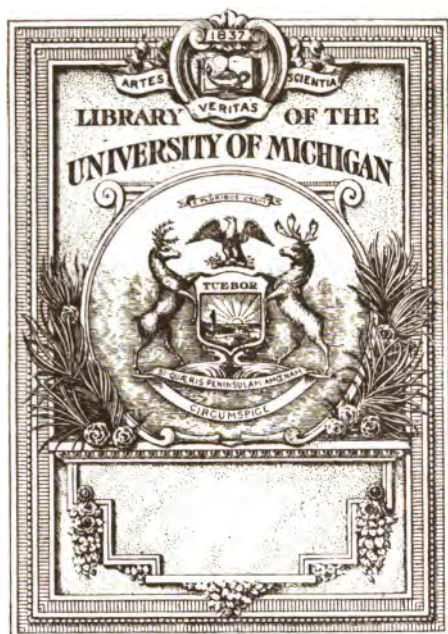
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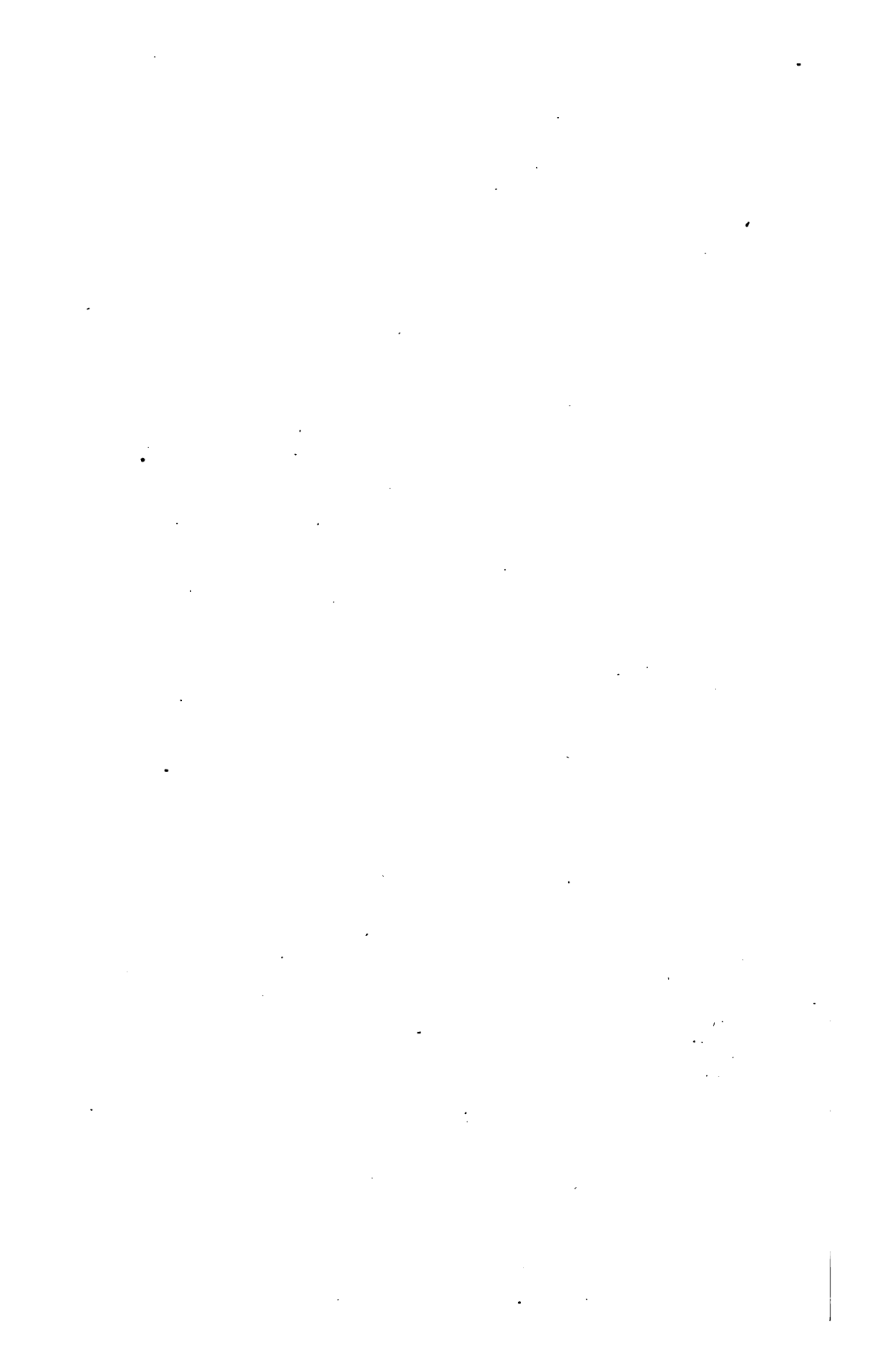
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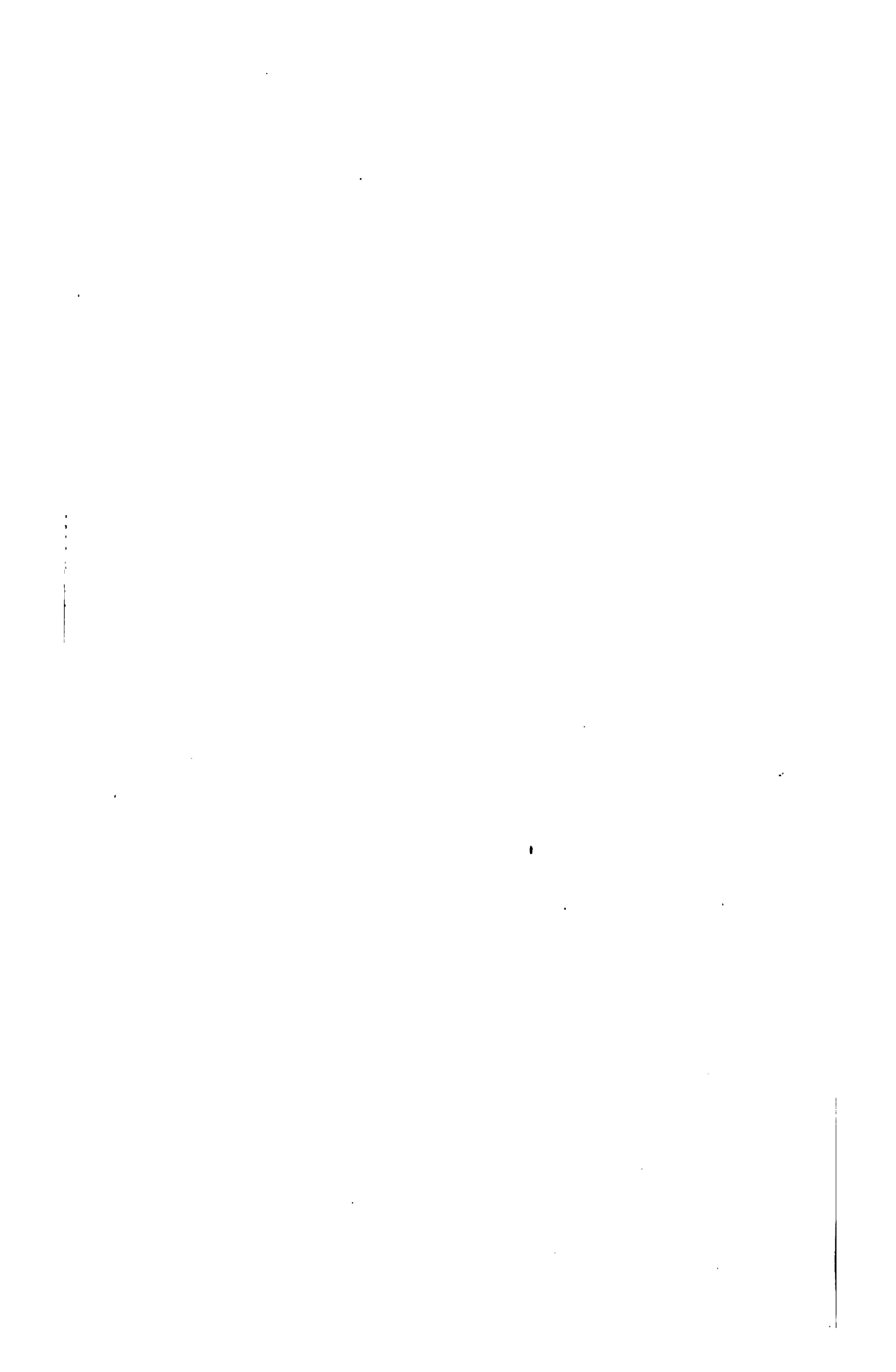






**THE CONTROL OF STRIKES IN AMERICAN  
TRADE UNIONS**





# THE CONTROL OF STRIKES IN AMERICAN TRADE UNIONS

BY

GEORGE MILTON JANES

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A DISSERTATION

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# THE CONTROL OF STRIKES IN AMERICAN TRADE UNIONS

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## INTRODUCTION

Strikes have been a marked feature of American industrial life during the last fifty years, and this period has been characterized by the rise and growth of trade unions in this country. The two facts are closely connected. The purpose of a strike is to enforce the demands of the men who engage in it by a withdrawal from work. To make this device more effective, the trade union endeavors to organize the workmen. By means of organization three results are accomplished. In the first place, the strike is made more comprehensive and therefore is more likely to succeed. Secondly, the strike is more efficiently financed and the strikers, therefore, can stand out longer. Finally, the advantages won by the strike are better retained when a permanent organization of the men is accomplished.

It is a popular fallacy that trade unions foment strikes and that striking is their reason for being. To this the trade unionist says: "Young and weak unions have many strikes; old and strong ones have few. If unions were mere striking machines, the opposite would be true."<sup>1</sup> The importance of moderation is insisted upon by most labor leaders. Collective bargaining is the ultimate goal of nearly all trade unions, and to reach it not only organization but discipline is needed. Strikes are dangerous to the organization and costly. Hard experience has taught trade-union officials that something more than enthusiasm is necessary to win a strike; and, while it may be true occasionally that a union thrives on opposition, a strike is not to be considered an end in itself. If the strike is

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<sup>1</sup> Painter and Decorator, April, 1910, p. 262.

lost, the better wages and conditions obtained by previous effort may be lost also. Experienced union officials, therefore, count the cost before entering on a struggle with the employer. The "get-rich-quick strike method," as it is called, is termed a failure.<sup>2</sup> Paradoxical as it may seem, young and inexperienced unions often disintegrate after a strike is won, because it is easier to rely on promises than to continue the union and pay dues. But the retention of higher wages and better working conditions is usually contingent on the continuance of the union. The trade-union leader must not merely estimate the chances of success, but must also consider whether the ground won can be held. The law of the survival of the fittest has, therefore, brought about a more or less complete control of strikes in many unions, while in all there is unanimity of opinion concerning the value and need of organization and discipline.

The purpose of this study is to describe the control of strikes exercised by the general or national unions. The evolution of strike initiation from local autonomy to control by the general or national union is first described. This is followed by a somewhat detailed account of the place of the national deputy or agent, and the influence of arbitration. The initiation of strikes is then taken up, after which the unauthorized strike or independent action on the part of local unions is discussed in connection with a classified list of unions and union policies. A consideration of strike management follows, together with a description of the methods used and the part taken by the national deputy or agent. The real source of control, the power of the purse, is then described in the matter of strike benefits, their amounts, and the rules under which they are paid. An account of the growth and influence of the strike fund follows, and in conclusion some figures are quoted as to the amounts paid out in strike benefits. The final chapter is devoted to a discussion of the methods used in bringing a strike to an end.

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<sup>2</sup> Shoe Workers' Journal, February, 1911, pp. 25, 26.

## CHAPTER I

### THE DEVELOPMENT OF CONTROL

The early history of strikes in American trade unions is characterized by what may be termed the anarchy of local autonomy. The course of development has been away from local independence in all matters pertaining to strikes, towards the vesting of authority in the matter in the hands of the national unions and their officers.

Previous to the panic of 1837 general trade unions composed of the local unions in a particular locality were organized in the larger cities on the Atlantic seaboard. Some measure of control over the initiation of strikes was developed by these organizations. The New York General Trades' Union, for instance, provided in 1833 that "no Trade or Art shall strike for higher wages than they at present receive, without the sanction of the Convention."<sup>1</sup> Under this rule a strike of the cabinet makers was sanctioned in 1835.<sup>2</sup> The Philadelphia General Trades' Union, likewise, provided in 1836 that any society before striking must give a written notice to the president, who should call a special meeting; if a two-thirds vote of the societies present was given in favor, the strike was to be sanctioned and aid granted. No aid was granted, however, unless the society had been represented in the union for the space of six months and had complied with all other constitutional requirements.<sup>3</sup> With the panic of 1837 and the depression which followed, the trade unions went to pieces. The period of rising prices after 1843 found the working classes unorganized, and although there were numerous strikes throughout the country they were sporadic and without

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<sup>1</sup> J. R. Commons and H. L. Sumner, *Documentary History of American Industrial Society*, vol. v, p. 218.

<sup>2</sup> *Ibid.*, p. 234.

<sup>3</sup> *Ibid.*, p. 347.



concerted action.<sup>4</sup> "Before the unorganized strikers," says Professor Commons, "could be united in permanent labor organizations, however, prices had resumed their downward course. Strikes were now futile and the workers turned their attention towards labor reforms through legislation and through cooperative purchasing and mutual insurance."<sup>5</sup> The interesting thing about this early movement is that the necessity for strike control was recognized and an attempt made to secure it through the only available organ,—the local federation of unions.

A characteristic feature of the trade-union movement since 1852 has been the increasing dominance of the national union, that is, the union of local bodies into a national organization. All other forms of grouping have been subordinated to the control of the national union.<sup>6</sup> The more fully the trade unions have turned from political and cooperative aims the more thoroughly the national union has established its preeminence. For brief periods the supremacy of the national union has been threatened—as, for instance, during the great growth of the Knights of Labor—but it has always reasserted itself.

The control of strikes has been exercised, therefore, primarily by the national union. Each step in the increasing dominance of the national union has been evidenced by a new check on the power of the local unions to initiate strikes or by the assumption of power on the part of the national union to manage strikes. The control of strikes is by no means equal in all the one hundred and thirty national unions. In the newer and weaker unions local autonomy in strike control is almost complete; in

<sup>4</sup> In 1846, however, the New York handloom carpet weavers in an effort to bolster up their decaying handicraft met in convention and provided for mutual help. All grievances were to be submitted to the workers of each factory for advice, and before using stringent measures "two-thirds of the whole Trade, the number aggrieved included," should approve and advise the same (J. R. Commons, *Documentary History of American Industrial Society*, vol. viii, p. 241).

<sup>5</sup> *Ibid.*, p. 214.

<sup>6</sup> The term "national union" is used throughout this study synonymously with "international union." The greater part of the American trade unions have branches in Canada, and accordingly style themselves international unions.

others the national control is absolute. But the development everywhere is in one direction,—the substitution of national for local control. The evolution of national control will be illustrated by a description of several of the older unions. As in biology life forms repeat or recapitulate in a brief time the previous slow stages of development, so now unions by direct imitation of older unions, or by stern necessity, approach in many respects a common type of policy.

The national union of the Printers, the oldest of the national unions, was organized as the National Typographical Union in 1852. For thirty years the local unions in this organization enjoyed almost complete autonomy, and all that the national union did in the matter was to protest against too frequent strikes. In 1876 rules for the government of strikes were passed providing for at least a three-fourths majority vote of the local union, "all the members being constitutionally notified of the meeting," in order to initiate a strike. Members to have the right to vote must have belonged to the local union at least six months.<sup>7</sup> "Since the local unions in case of strike were not aided by the International," says one authority, "disobedience to these rules carried no penalty."<sup>8</sup> With the establishment of the strike fund in 1885, a larger degree of control began to be exercised by the national union.<sup>9</sup> The real executive power of the union is now vested in an executive council composed of the president, the secretary-treasurer, and the second vice-president, and all strikes must receive the sanction of this body.<sup>10</sup>

Local autonomy was the rule with the Iron Molders' Union for several years after its organization in 1859. A strike was sanctioned by the convention of 1861, but with the resolution "that this body recommends to local unions to discountenance all strikes in their respective localities

<sup>7</sup> Proceedings, 1876, p. 65.

<sup>8</sup> G. E. Barnett, "The Printers: A Study in American Trade Unionism," in *American Economic Association Quarterly*, October, 1909, p. 327.

<sup>9</sup> *Ibid.*, p. 67.

<sup>10</sup> See below, Chapter V.

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until every other remedy has been tried and failed."<sup>11</sup> As early, however, as 1863 the initiation of a strike was made subject to the approval of a referendum vote.<sup>12</sup> In 1866 the corresponding representatives were earnestly requested to return all unauthorized strike circulars under penalty of having their names published if they did not do so. Two official strike circulars sent out the same year received yeas 100, nays 5, and yeas 92, nays 9, and strikes were authorized in both cases.<sup>13</sup> Strikes were generally authorized; out of forty-one applications in 1866 only three failed to pass. President Sylvis declared that the strike rules had worked well, but added that strikes should be discouraged as much as possible.<sup>14</sup> The rule requiring a two-thirds vote of all the local unions to sanction a strike was changed in 1874 to two-thirds of all the votes.<sup>15</sup> The president was also obliged to give all the facts in his possession when issuing a strike circular.<sup>16</sup> Another change was the grant to local unions of the same number of votes on strike circulars as the number of delegates they were entitled to in convention. Local unions failing to return strike votes were to be fined ten dollars and to suffer forfeiture of all rights until the fine was paid.<sup>17</sup>

President Saffin in 1873 published a number of executive decisions in regard to the initiation of strikes, such as the following: no member can strike a job, no shop committee can order a strike, and no job or shop can be struck except by a two-thirds vote of the members at a regular meeting, or at a special meeting when due and proper notice has been given to every member to be present.<sup>18</sup> These decisions formed precedents and have been followed by the officers of other national unions. A standing resolution enacted in 1876 that the question of either financial or

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<sup>11</sup> International Journal [Iron Molders], April, 1874, p. 322.

<sup>12</sup> Ibid., May, 1874, p. 354.

<sup>13</sup> Ibid., August, 1866, p. 154.

<sup>14</sup> Ibid., August, 1866, p. 310.

<sup>15</sup> Ibid., March, p. 292, April, p. 327, August, p. 3, 1874.

<sup>16</sup> Ibid., August, 1874, p. 3.

<sup>17</sup> Ibid., p. 5.

<sup>18</sup> Ibid., April, 1873, p. 1; Constitution, 1876, p. 32.

moral support should be voted on, and if sanction for a strike with moral support was given, no benefits would be paid.<sup>19</sup> Considerable discontent arose in regard to the referendum vote in the matter, and wider control was given the executive board in 1878; but President Saffin refused to recognize such power.<sup>20</sup> One critic said that such executive boards were copied from the Friendly Societies of England and were bound to fail in America.<sup>21</sup> It was not until 1882, after several years of agitation, that absolute control of all strikes and lockouts was put into the hands of the executive board and the president, with the instruction to see that no more strikes should be carried on at any one time than the organization was able to conduct.<sup>22</sup>

A similar development has taken place in the Bricklayers and Masons' International Union since its organization in 1865. At first the general president submitted strike proposals to the presidents of the local unions for approval or disapproval.<sup>23</sup> Such strike arrangements were found to be crude and inefficient and not clear.<sup>24</sup> The executive committee, made up of the president and the vice-president, sanctioned strikes, saying that in the absence of any definite rule the matter was left entirely to their judgment.<sup>25</sup> In 1868 the following rule was enacted to govern local unions in initiating strikes: "Such unions shall transmit to the president of this union a bill of grievance properly filled up and signed by the president and recording secretary, attested by the seal thereof. When a union wishes to make application for authority to strike the yeas and nays shall be taken and it shall require a majority of two-thirds of the members of said union to adopt the motion. The result of the vote shall in all cases be returned to the president of this union, who on receipt of the bill of grievance shall notify the secretary to forward a printed copy thereof

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<sup>19</sup> Constitution, 1876, p. 41.

<sup>20</sup> Proceedings, 1878, pp. 48-51.

<sup>21</sup> Iron Molders' Journal, December 10, 1878, p. 62.

<sup>22</sup> Proceedings, 1882, p. 76.

<sup>23</sup> Constitution, 1867, art. xii.

<sup>24</sup> Proceedings, 1868 p. 23.

<sup>25</sup> Ibid., pp. 14-18.

to each corresponding representative who shall return the same within twenty-four hours with decision thereon. If at the expiration of twelve days he shall find a majority of two-thirds in favor of granting authority to strike, he shall notify the union; and action thereon shall be taken by said union within five days from the receipt of said notice. It shall require a two-thirds majority of said union to authorize a strike."<sup>26</sup> President Gaul protested in 1870 that too many local unions went out on strike before asking for official sanction. He declared himself against strikes, but urged that in any event the mode of initiating strikes should be less cumbersome and more expeditious.<sup>27</sup> A proposal in the following year to put the matter in the hands of the president was rejected.<sup>28</sup> President O'Keefe in 1870 refused to sanction a strike which had received the endorsement of the local unions because of information received after issuing the circular. The matter was threshed out at three conventions, and finally the local union received its strike benefits.<sup>29</sup>

The greatest complaint against the general vote was the delay of local unions in making returns. The committee on general good recommended in 1886 that all local unions hold weekly meetings in order that their secretaries may be able to bring requests for a strike vote promptly before them for action.<sup>30</sup> It was even said that some local unions did not answer at all. To meet this condition it was provided in 1887 that a failure to return strike answers should be penalized by a fine of five dollars.<sup>31</sup> But even this did not bring the desired results, and the following rule was passed the next year: "Any Subordinate Union failing to report their decision for or against a permission to strike within the specified time, the Secretary shall enter such Unions as voting in the affirmative upon the records of the Bricklayers and Masons' International Union." The time of

<sup>26</sup> Proceedings, 1868, pp. 79, 80.

<sup>27</sup> Proceedings, 1870, pp. 24, 25.

<sup>28</sup> Proceedings, 1871, p. 15.

<sup>29</sup> Ibid., p. 8; 1873, p. 14.

<sup>30</sup> Proceedings, 1886, p. 107.

<sup>31</sup> Proceedings, 1887, p. 91.

five days originally set was in 1890 extended to ten days. Unions were requested to transmit their answers, yes or no, by telegraph to avoid delay.<sup>32</sup>

Aside from recommendations that strike votes should be taken more quickly, it was proposed from time to time to put the entire matter in the hands of the executive board. Power to investigate strikes was given this board in 1894,<sup>33</sup> more authority in 1897,<sup>34</sup> and finally in 1903 the whole matter of strikes and full power in regard thereto were thus referred.<sup>35</sup> Pure democracy thus made way for representative government.

The Cigar Makers organized a general union in 1864, and their rules governing strikes did not involve any great amount of centralized control until 1879. Until then the executive board was obliged to sanction without exercising any discretion all strikes except those for an increase of wages.<sup>36</sup> The depression of 1873 led to many strikes, and a committee reported in that year that the reason so many had been failures was because the requirements of the law had not been carried out. Recommendation was made for the more rigid enforcement of the rules relating to strikes and assessments.<sup>37</sup> In 1879 a thorough change in regard to the initiation of strikes was effected, and the rules then adopted remain substantially unchanged. Strikes involving less than twenty-five members are sanctioned at the discretion of the executive board. All involving more than twenty-five members are submitted to a vote of all local unions. If a majority of those voting

<sup>32</sup> Proceedings, 1888, pp. 69, 113. The following is a characteristic strike report: "The vote on Circular No. 5, being the bill of grievance of Union No. 13, of Lowell, Massachusetts, asking for permission to strike, has been received, resulting in favor of said bill as follows: Number of Unions voting Yes, 227; Number of Unions No, 25; Number of Unions not voting within the ten days required by law, and which are counted in the affirmative, 75; excused from voting, 1; total vote in favor, 302; Number of Unions question submitted to, 328."

<sup>33</sup> Proceedings, 1894, p. 84.

<sup>34</sup> Proceedings, 1897, pp. 70, 72.

<sup>35</sup> Proceedings, 1903, pp. 115, 116.

<sup>36</sup> Constitution, 1867, art. vii, sec. 10.

<sup>37</sup> Proceedings, 1873, p. 45.

approve the application, the desired permission is given. Any strike for an increase of wages, however, is not considered legal unless approved by a two-thirds majority of all votes cast. The penalty for local unions failing to vote within one week commencing on the day the circular is mailed is fixed by the executive board. The local unions may send their vote by telegram at the expense of the national union provided their location is over two hundred miles distant from the office of the national president. The vote of local unions on strikes is in proportion to their membership: one vote, from seven to fifty members; two votes, from fifty to one hundred members or fraction of not less than seventy-five; three votes, from one hundred to two hundred, and an additional vote for every additional one hundred members.<sup>38</sup> Provision was made that the national president in submitting an application to strike should state the number of men already on strike in other localities; the condition of the funds per capita; how much the per capita assessment would be in order to make up the requisite amount, and all other information in his possession bearing upon the matter.<sup>39</sup>

The tendency of local unions to vote in favor of a strike hastily and without thought or merely by mob influence has been obviated to a certain extent. A rule was passed in 1886 that "all votes in local unions upon questions of strikes must be voted by secret ballot and all votes taken contrary to this method shall not be counted."<sup>40</sup> A unanimous strike vote invites suspicion that the rule is being violated, and word is returned from headquarters that "unanimous strike votes don't go here."<sup>41</sup>

The transition from local autonomy to central control in the initiation of strikes might be traced in the case of other unions; but much of this, certainly in the case of the older and stronger unions, would simply repeat the experiences of the Printers, the Iron Molders, the Brick-

<sup>38</sup> Cigar Makers' Official Journal, September 15, 1879, p. 3.

<sup>39</sup> Constitution, 1881, art. vi, sec. 7.

<sup>40</sup> Constitution, 1886, art. vi, sec. 25.

<sup>41</sup> Interview with President Perkins of the Cigar Makers.

layers and Masons, and the Cigar Makers. The tendency is toward centralized control, and new unions usually copy the policies and rules of older unions. A referendum vote, similar to that used by the Cigar Makers, is taken by the Box Makers, the Chain Makers, the Piano and Organ Workers, the Stone Cutters, and the Tobacco Workers. The Flint Glass Workers and the Operative Potters require a vote of the trade, while the railroad brotherhoods also take a general vote before acting. Some sixty-five national unions require that sanction for initiating a strike be had from the executive board. As these executive boards are composed of the general officers and elected members, control of strike initiation is in the hands of the general union through its elected representatives.



## CHAPTER II

### CONTROL BY NATIONAL DEPUTY

The method usually followed in asking for sanction to strike is for the local union to send with its application to the executive board a statement containing full details as to trade conditions, the strength of the local union, and the prospects for a successful strike. Some unions, like the Carpenters and Joiners, have worked out an elaborate schedule of inquiries to be answered by the president and the secretary of the local union. The information thus obtained makes it possible for the national officers to decide whether a strike ought to be authorized. In many unions this detailed information is either supplemented by or obtained entirely through a general representative or agent. Many of the general officers became dissatisfied with the method of obtaining information through correspondence with local officials, and so with the gradual development of centralized authority in the national unions has come the national agent or deputy.

The national agent may be found as far back as 1866, when President Sylvis of the Iron Molders personally supervised the initiation of a strike in Cleveland, Ohio. "I appointed," he says in his report,<sup>1</sup> "Mr. Alexander Faulkner to look after the interests of the Union; he is still acting under my direction." Faulkner also visited several local unions and settled one strike. The convention of 1863 had already empowered him to visit all local unions, he, however, to collect and pay his own expenses. The Bricklayers and Masons in 1867 gave their president power to appoint a deputy for each local union to supervise the working of his union and to report to the president of the

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<sup>1</sup> Proceedings of the Eighth Annual Session, in *International Journal [Iron Molders]*, January, 1867, p. 306.

national union all violations of the constitution by his union.<sup>2</sup> This usage is still found in the Steel Plate Transferers' Association, whose president may appoint national deputies to represent the association where members are employed. A strong feeling in favor of local autonomy persisted, however, among the Bricklayers; for in the convention of 1871 a recommendation that the president visit each union between the sessions failed to carry, and when taken up again at the convention of 1872 was laid on the table for ten years.

The chief executive as an authoritative representative of the national union is found in strongest exemplification, perhaps, in the Brotherhood of Locomotive Engineers. P. M. Arthur, on taking the office of grand chief engineer in 1874,<sup>3</sup> began to visit the members of the various divisions and also railroad officials, such as President Scott of the Pennsylvania Railroad. Through his personal conferences and efforts an agreement was made with the Grand Trunk Railway in 1875,<sup>4</sup> which being violated led to a strike and the making of a new agreement in 1877.<sup>5</sup> The following extract from a letter written by Mr. Arthur in 1876 to the general superintendent of a railroad illustrates the procedure which he followed in cases where a strike was threatened:

The laws and rules of the Brotherhood of Locomotive Engineers, to which the engineers in your employ belong, require them, when a question arises between them and their employers that they cannot settle satisfactorily, to send for the Grand Chief Engineer. It is his duty to come and use all honorable means in his power to prevent any difficulty occurring between them and the company. Your engineers have sent for me; I have come, not in the spirit of coercion as dictator, but rather as mediator, and would like an interview with you and a committee of your engineers. If you will be kind enough to grant the favor, please inform the bearer of time and place.<sup>6</sup>

The rules of the Locomotive Engineers conferring authority on their executive in regard to threatened strikes have been frequently copied by other organizations. This has

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<sup>2</sup> Proceedings, 1867, p. 52.

<sup>3</sup> Locomotive Engineers' Monthly Journal, June, 1874, p. 310.

<sup>4</sup> Ibid., May, 1875, p. 255.

<sup>5</sup> Ibid., February, 1877, p. 65.

<sup>6</sup> Ibid., November, 1876, p. 506.

been due to a large extent to the strong personality and the long and successful administration of Mr. Arthur. Says one writer: "Arthur was the man who led us out of the darkness and wilderness of intemperance, taught us to mind our own business, to attend to our duties, and the importance of non-interference with the affairs of other organizations."<sup>7</sup>

In addition to the written application, the Granite Cutters in 1880 provided for a report by a committee made up of representatives from the two nearest branches and one of the members of the branch in which the difficulty existed.<sup>8</sup> This report was to describe the condition of the local union and to advise as to the expediency of a strike. James Duncan in 1901 advocated the adoption of a constitutional provision requiring a national officer to visit places where grievances required attention,<sup>9</sup> and the suggestion was finally incorporated in the constitution in 1905.<sup>10</sup>

The Cigar Makers provided in 1886 that the president should appoint, subject to confirmation by the executive board, a member of the national union as agent for a strike or lockout which involved more than fifty members and which had been carried on for a period of eight weeks.<sup>11</sup> Provided with proper credentials to act as agent or representative of the national union, he was to proceed to the locality of the strike or lockout. The convention in the following year<sup>12</sup> struck out the clause "has been carried on for a period of eight weeks," thus leaving all strikes and lockouts involving more than fifty members open to investigation and settlement by an agent. The rule regarding the agent was changed at the Detroit convention in 1896,<sup>13</sup> and an agent is now sent whenever a strike or lockout involving more than fifty men is contemplated or may

<sup>7</sup> Locomotive Engineers' Monthly Journal, October, 1896, p. 886.

<sup>8</sup> Constitution, 1880, art. xiii.

<sup>9</sup> Granite Cutters' Journal, June, 1901, p. 5.

<sup>10</sup> Constitution, 1905, sec. 12.

<sup>11</sup> Constitution, 1886, art. vi, sec. 20.

<sup>12</sup> Proceedings, 1887, pp. 10-21.

<sup>13</sup> Proceedings, 1896, pp. 22, 32, 39.

arise. The local union is required to telegraph within twenty-four hours to the president, who shall within twenty-four hours appoint a member of the national union to proceed to the locality. The report of the committee to which this article was referred said: "It should be apparent to all who have taken note of the foregoing circumstances (costs and difficulties) in the labor movement that where arbitration steps in prior to a difficulty great good has resulted."

The Iron Molders in 1882 ordered that the president either in person or by deputy should visit the place of grievance, investigate, and endeavor to adjust the matter.<sup>14</sup> The Carpenters and Joiners in 1890<sup>15</sup> and the Bricklayers and Masons in 1894<sup>16</sup> made the appointment of such a deputy a fundamental policy.

A special variety of the national deputy is found in the "special defense organizers" of the Hotel and Restaurant Employes' International Alliance and Bartenders' International League instituted by the convention of that organization in 1909.<sup>17</sup> These officials are appointed by the executive board for work in localities where the interests of the union are threatened. Such representatives are sent into towns or cities or states where the unions are confronted with antagonistic legislation, strikes, or serious trouble of any character. As the organization has few strikes, the work of these deputies is chiefly in connection with legislative movements or public agitations concerning the liquor question.

Although the deputy is usually appointed by the president or the executive board and is subject to their direction, it not infrequently happens that a deputy is sent to a particular place by direct order of a convention of the national union. An illustration of this is afforded by the action of the 1903 convention of the Carriage Workers.<sup>18</sup>

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<sup>14</sup> Proceedings, 1882, p. 76.

<sup>15</sup> Proceedings, 1890, p. 33.

<sup>16</sup> Proceedings, 1894, p. 84.

<sup>17</sup> Proceedings, 1909, pp. 33, 145.

<sup>18</sup> Proceedings, 1903, p. 7.

The business agent of Local No. 83 of Baltimore requested that a national representative be sent to Baltimore to straighten out the existing difficulty and, if possible, try to prevent the threatened strike. John Brinkman was authorized to go for two days with expenses paid by the executive board. Naturally such action on the part of the convention occurs almost exclusively in those unions in which the deputy system is either non-existent or is only slightly developed.

The older and stronger national unions require immediate notification of any impending difficulty, after which a deputy is at once sent to the scene. Some unions provide that a national officer or deputy shall be called in only as a last resort, or at least only after the local union has done everything in its power to settle the difficulty. Thus the rules of the Locomotive Engineers provide that the general committee of adjustment shall exhaust all efforts to effect a settlement before sending for the grand chief engineer;<sup>19</sup> the same rule obtains in the Brotherhood of Locomotive Firemen and Enginemen,<sup>20</sup> the Order of Railway Conductors,<sup>21</sup> the Brotherhood of Railroad Trainmen,<sup>22</sup> and the Railway Carmen.<sup>23</sup> The Switchmen<sup>24</sup> and the Car Workers<sup>25</sup> must not call in the president until after every provision of the constitution and by-laws has been complied with. As an outcome of a discussion begun at the convention of 1903, the Stove Mounters passed a resolution at their convention of 1908 providing that no local union should send for a national officer unless the firm absolutely refused to settle with the local union. It was argued that a little energy, tact, and diplomacy on the part of a local union in settling disputes would lessen expenses and give the president time for organization work. "The Treasury," said President Tierney, "had thus been unnecessarily

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<sup>19</sup> Constitution, 1910, secs. 16, 17.

<sup>20</sup> Constitution, revised, 1910, p. 105.

<sup>21</sup> Constitution, 1911, sec. 46.

<sup>22</sup> Constitution, 1907, General Rules, no. 8.

<sup>23</sup> Constitution, 1909, sec. 91.

<sup>24</sup> Constitution, 1909, sec. 261.

<sup>25</sup> Constitution, 1910, sec. 157.

depleted, so that drastic strike measures could not be resorted to and the Stove Mounters had to take anything the manufacturers seemed pleased to offer."<sup>26</sup>

In general, it may be said that the better disciplined unions can insist on the local unions carrying on negotiations up to the breaking point, since they are assured that there will be no strike until authorization is given. Moreover, in the older and more experienced unions the local unions are better able to handle negotiations. On the other hand, in the newer and poorly disciplined unions there is great danger that a strike may occur at any moment. It is advisable, therefore, that the deputy should be on the ground at the earliest possible moment.

The function of the deputy is to go to the locality, investigate "the alleged matter of complaint," make an effort to adjust the matter, if possible, and report to the president and the executive board of the national union his conclusions as to the situation and recommendations as to what course should be pursued.<sup>27</sup> If a strike is authorized, the deputy usually remains on the scene of the trouble until recalled by the executive board on the settlement or discontinuance of the strike.<sup>28</sup> The agent or deputy is a representative of the national union, and his duties can be laid down only in a general way. As one writer has said: "The man on the ground representing the International Union should use his best judgment; it does not matter whether he agrees with the local strike committee or not. If capable and experienced he is supposed to lead and not to follow. It's his duty to stand by the International Union regardless of consequences; to protect the funds against waste and extravagance, and to maintain its reputation for a 'square deal' with union manufacturers."<sup>29</sup> The deputy must be received by the local union, for if he is not permitted to perform his duties, strike benefits may

<sup>26</sup> Proceedings, 1903, p. 5.

<sup>27</sup> Thirty-ninth Annual Report of the President and Secretary of the Bricklayers' and Masons' International Union, 1904, p. 71.

<sup>28</sup> Proceedings of the Bricklayers' and Masons' International Union, 1903, pp. 115, 116.

<sup>29</sup> Cigar Makers' Official Journal, September 15, 1908, p. 1.

be withheld by the national union and no further assistance granted.<sup>30</sup> A strike entered into by a union after refusing the offices of a national deputy would be illegal and would subject the local union to a fine or a loss of charter.<sup>31</sup>

The deputy, while keeping in close communication with the national officials, is given considerable latitude in the exercise of his own judgment. This is especially true in the conduct and termination of strikes. The initiation of a strike is generally on the advice of the deputy and by authorization of the executive board. In an emergency requiring quick action questions even of strike initiation must at times be decided by the deputy. In only a few unions, however, is the possibility of such an emergency contemplated by the constitution or rules. In the Actors' International Union authority is given to its four national district deputies, who visit the local unions, inspect the books, collect money, and act as organizers, to act on their own responsibility in cases of extreme urgency. Before calling a strike involving the union in a lockout, or placing any house on the unfair list, the deputy must call a meeting of at least seven members of the local union or unions interested. Notice of this emergency action must be given immediately to all members of such local union or unions.<sup>32</sup>

In all the unions that have adopted the "deputy system" it is regarded as important that the deputy should be on the ground before a strike is begun. It is required, therefore, that the members involved continue at work pending investigation and until a final decision has been reached. The rule has worked well; for any dispute can be more easily adjusted before an actual breach has occurred. President Martin Fox of the Iron Molders observed that this rule "has strengthened the position of the Union and proven beneficial in all cases."<sup>33</sup> President Menger of the

<sup>30</sup> Cigar Makers' International Union, Constitution, 1886, art. vi, sec. 22.

<sup>31</sup> See chapter on The Independent Strike.

<sup>32</sup> Constitution, 1910, secs. 83, 117.

<sup>33</sup> Proceedings, 1895, p. 6.

Operative Potters in an interview with the writer said: "If an international officer can get on the ground before a grievance has assumed large proportions and before either side has committed itself, a settlement can be more readily brought about than if the affair is allowed to go on."

A representative coming in from the outside is frequently able to compose differences which the parties themselves cannot settle. Those who are involved in a quarrel are not the best qualified to appraise its merits. Investigation by a party not previously involved is almost always helpful. The agent or deputy acts as a mediator between the local union and the employer, and is often able to eliminate the local prejudice or personal feeling between the two parties. It is true that the deputy comes as the friend of the union; but he takes into account other considerations than the success of the local union. As a representative of the national union, he must consider whether the local union is justified in its demands, and whether the demands have been made in the proper spirit. All of these considerations make him a mediating element more or less independent of the local union.

In many of the national unions the members turn more and more to the national officers in case of grievance, lockout, or strike. President Garretson of the Railway Conductors reports: "One of the developments of our work is that a much greater amount of time is consumed in the settlement of difficulties than was formerly the case and on account of this development the staff of officers has not been large enough to meet the demands made upon it. Notwithstanding this, the results accomplished speak for themselves."<sup>34</sup> The Bricklayers and Masons have experienced also a wide expansion of the special deputy system.<sup>35</sup> The president, the vice-presidents, and the secretary have all been kept busy at this work for some years. President Bowen in one of his reports states that on account of the demands on his time for such work he

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<sup>34</sup> Proceedings, 1909, p. 32.

<sup>35</sup> Annual Report, 1906, p. 6.



had been in his office at headquarters less than two months out of thirteen. The officials of the Bricklayers say: "This [the special deputy] system has been crowned with the highest success, it has now become a part of the organic law of the organization, and the words 'special deputy' and 'arbitration' are a tower of strength."

The use of the national deputy has spread and is found today in some form in sixty-five national unions. Wherever the national union really controls strikes, some personal representative of the national union has been found necessary. In those unions which are so weak that they can give no aid to their local unions when on strike there is no control of strikes and hence no need for a national deputy.

## CHAPTER III

### ARBITRATION AND CONTROL

Human nature in labor organizations is much the same as elsewhere. Trade unions include radical, pugnacious, and emotional elements moved more by sentiment than by reason. Most national unions, therefore, provide that before an application for strike sanction on the part of a local union can be even considered, every effort for a settlement of the grievance must have been put forth. The general rule is that the local union must endeavor to adjust either by conciliation or, if that fails, by an offer to arbitrate, any difficulty that may arise. Two forms of arbitration may be distinguished: the general requirement of arbitration, and agreements specifically requiring the arbitration of any dispute.

Agitation for conciliation and arbitration as substitutes for strikes began quite early. The Benevolent and Protective Spinners' Association of New England at its organization in 1858 declared that one of its objects was "to prevent strikes through the medium of arbitration" by referring all disputes if possible to arbitrators whose decisions should be final.<sup>1</sup> A National Labor Congress composed of delegates from various trade unions was held in Baltimore in 1866, and one of its committees made a report discountenancing strikes except "when all means for an amicable adjustment have been exhausted." The committee recommended the appointment of an arbitration committee by each trades assembly for the adjustment of disputes, in the belief that "the earlier adoption of such a system would have prevented a majority of those ill-advised so-called strikes."<sup>2</sup> In 1873 an Industrial Congress

<sup>1</sup> Constitution, 1858, pp. 4-8.

<sup>2</sup> International Journal [Iron Molders], September, 1866, p. 180.

made up of representatives of various trade unions, which met at Cleveland, endorsed the idea of arbitration as a substitute for strikes, which were declared to be usually detrimental to both parties engaged in them, and recommended that all unions should adopt a system of arbitration.<sup>3</sup>

The Cigar Makers in 1873 passed a rule empowering the national president to order any local union in case of difficulties to select a board of arbitration. President Cannon in commenting on this rule says that he was opposed to any and all strikes unless arbitration had first been attempted.<sup>4</sup> In 1872 the Iron Molders incorporated in their constitution a rule making it compulsory on the local union in case of differences in regard to prices or wages to ask the employer to refer the matter to arbitration.<sup>5</sup> The offer of arbitration was to be made in writing and under the seal of the local union, for otherwise the offer would not be recognized by the national union and a strike circular would not be issued. This rule was intended to fix the responsibility for the rejection of peaceful methods.<sup>6</sup> The Lasters' Protective Association, organized in 1879, laid emphasis upon arbitration and settled many difficulties without resort to strike.<sup>7</sup> A member of the Granite Cutters' Association proposed in 1882 that, since many strikes were instituted to resist reductions in wages, a board of arbitration should be formed to study the conditions of the market, and that if a reduction was found to be necessary, work should go on at reduced wages until business improved.<sup>8</sup>

A considerable number of national unions at present have in their constitutions rules requiring that an offer to arbitrate shall be made before a strike can be called. The Cement Workers, for instance, provide that no sanction shall be given to any strike or lockout until all possible

<sup>3</sup> International Journal [Iron Molders], July, 1873, pp. 36-41.

<sup>4</sup> Cigar Makers' Official Journal, September 18, 1873, p. 6; Constitution, 1873, p. 58.

<sup>5</sup> Iron Molders' Journal, September 10, 1876, p. 87.

<sup>6</sup> Ibid., August, 1874, p. 9.

<sup>7</sup> G. E. McNeill, in Union Boot and Shoe Worker, March, 1900, p. 8.

<sup>8</sup> Granite Cutters' Journal, December, 1882, p. 2.

efforts to arbitrate the difficulty have failed.<sup>9</sup> The Piano and Organ Workers make efforts for arbitration compulsory before any strike can be considered legal.<sup>10</sup>

The value of such rules, however, does not appear to be very great. The officers of the national union, wherever they have full control of strikes, can offer to arbitrate if that policy appears to be wise. Before the national union had acquired complete control of strikes an attempt was made to lessen the number of strikes by the adoption of rules requiring an offer of arbitration. Where such control exists an arbitrary rule of this kind is valueless. Consequently, the rule persists chiefly in unions in which the control of the national union is slight.

Of far more importance than the general requirement of the arbitration of disputed questions is the increasing insistence by a number of national unions that all local agreements shall contain provisions for arbitration. The Bricklayers have been foremost in this policy. A disastrous strike of the local unions in New York City in 1884, entered into without compliance with rules and against the advice of the executive board of the Bricklayers and Masons, led after much discouragement, great disorganization, and complete bankruptcy to an agreement in 1885 with the Mason Builders' Association as to recognition of the local unions, wages and hours of labor for one year, and the formation of a joint arbitration committee to meet weekly to settle disputes between employers and employees.<sup>11</sup> The results of this arrangement led the convention of 1887 to require that all local unions should have rules to provide boards of arbitration for joint arbitration with the employers.<sup>12</sup> A proposal from the National Association of Builders for an arbitration agreement and committee was, however, rejected in 1891.<sup>13</sup> The convention of 1897 made it mandatory upon the local unions

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<sup>9</sup> Constitution, 1903, art. xiii.

<sup>10</sup> Constitution, 1911, art. vi, sec. 18.

<sup>11</sup> Proceedings, 1885, pp. 15-23; 1886, pp. 16-20.

<sup>12</sup> Proceedings, 1887, p. 145.

<sup>13</sup> Proceedings, 1891, p. 141.

to provide for the arbitration of disputes by a joint board of arbitration, and to keep at work pending the adjustment of differences.<sup>14</sup>

These rules have led to the making of a number of local arbitration agreements and have been found on the whole to work well in practice. The New York agreement of the Bricklayers and Masons, made in 1885 and renewed from time to time, averted strikes down to 1904 when a strike in violation of the agreement by local union No. 67 was settled by a general officer.<sup>15</sup>

The Carpenters and Joiners also provide for arbitration agreements. In an agreement between the Carpenters and Builders' Association and the United Carpenters' Council of Chicago in 1891 there were provisions for continuous work pending settlement by joint committees of arbitration, except that work might be stopped by the joint order in writing of the presidents of the respective associations until the decision of the joint arbitration committee was given.<sup>16</sup> The secretary of the Carpenters declared in 1890 that many strikes had been prevented by these methods.<sup>17</sup> Among other national unions whose local unions are encouraged or required to include arbitration clauses in their agreements are the Bakery and Confectionery Workers, the Barbers, the Brewery Workers, the Granite Cutters, the Hotel and Restaurant Workers, the Horseshoers, the Machinists, the Pavers, the Steam Engineers, the Steam Fitters, the Teamsters, the Tile Layers, and the Tobacco Workers.

In the greater part of the unions which require the insertion of the arbitration clause in local agreements arbitration is purely with reference to the interpretation of the agreement. In certain trades, however, where the union label is used, the whole question of wages is relegated to arbitration. The agreement does not, therefore, cover

<sup>14</sup> Proceedings, 1897, pp. 70-72; Constitution, 1897, art. x, sec. 6.

<sup>15</sup> Thirty-ninth Annual Report of the President and Secretary, 1904, pp. 219-229.

<sup>16</sup> Articles of Agreement, 1891, pp. 1, 2.

<sup>17</sup> Proceedings, 1890, p. 1.

the conditions of employment, but merely provides a mechanism for settling all disputes. The Boot and Shoe Workers and the Glove Workers have this form of agreement, and bind themselves to accept the results of arbitration and to furnish workers in case any of their members refuse to comply.<sup>18</sup>

Many local agreements, however, contain no arbitration clauses. The assistant mediator of the State of New York reported in 1908 that of the one hundred and twenty-two copies of trade agreements received during that year by the New York Bureau of Labor, sixty-six had no provision for arbitration in case of any dispute between employers and employees. "We are firmly convinced that if all trade agreements had such a clause many strikes could be avoided. Commissioner Lundigran has decided to send a letter to employers and unions having such agreements calling their attention to the fact and urging them at the expiration of existing agreements on their renewal or the making of new agreements to insert such a clause."<sup>19</sup>

There is some reason to believe that there is a growing tendency to insert such clauses in local agreements. The

<sup>18</sup> The following clauses in the local agreement of the Chicago Glove Workers, 1911, illustrate this class of arbitration clauses.

"Fifth:—It is mutually agreed that the Union will not cause or sanction any strike, and that the employer will not lockout his employees while this agreement is in force. All questions of wages or conditions of labor which cannot be mutually agreed upon, or any difference which may arise between the parties, the adjustment of which is not otherwise provided for, shall be submitted to an arbitration board of five, the employer to choose two, the union two, and the four to choose a fifth member. The decision of a majority of this Board of Arbitration shall be final and binding upon the Employer, the Union, and the Employees, and pending settlement by arbitration, the work and conditions are to continue in the same manner as theretofore.

"The Employer and the Union are each to pay the expense of their own arbitrators. Any other expense, first agreed upon, in connection with such arbitration is to be borne jointly by the Union and the Employer, and the Employees, and pending settlement by arbitration, the work and conditions are to continue in the same manner as thereto.

"Sixth:—The Union agrees, if requested by the Employer so to do, to assist the Employer in procuring competent glove workers to fill the places of any employees who refuse to abide by Section Five of the Agreement."

<sup>19</sup> Granite Cutters' Journal, March, 1909, p. 2.

statistics compiled by the New York State Department of Labor appear to show this.<sup>20</sup> The principle of arbitration has, moreover, been adopted in several local agreements of great importance. The most notable instance of this kind is the 1910 agreement in the cloak, suit, and skirt industry in New York City. In that year, in settling a strike, a protocol or treaty of peace was made between the Cloak, Suit and Manufacturers' Protective Association and various local unions of the International Ladies' Garment Workers' Union acting with the advice and assistance of the national officers. The main point of the agreement is that no strike or lockout shall take place. In case of failure to settle any dispute a board of arbitration is provided for, consisting of one nominee of the manufacturers, one nominee of the unions, and one representative of the public. In addition to the board of arbitration a board of grievances and a system of deputy clerks representing both the manufacturers and the unions were instituted, and thus by means of conciliation and mediation most of the grievances that have arisen have been settled. Mr. Charles H. Winslow says: "Only one-tenth of 1 per cent of the grand total number of cases that have arisen were referred for final adjudication to the board of arbitration, the supreme court of the trade."<sup>21</sup>

A greater measure of control of strikes is gained when the general union enters into an agreement directly with the employers. The earliest of these so-called national agreements were those entered into by Chief Arthur with various railroads on behalf of the Locomotive Engineers in 1873 and continued until the present day, when they are participated in by all the railroad brotherhoods. These agreements, aside from the details concerning wages and hours which do not concern us, contain clauses providing for right of appeal and arbitration in case of dispute. The general rules of the brotherhoods provide for discipline in case of the violation of any contract by members. The

<sup>20</sup> New York State Department of Labor, Annual Report, 1911, vol. i, part iii, pp. 577-641.

<sup>21</sup> Bulletin, Bureau of Labor Statistics, no. 144, March 19, 1914, p. 9.

Locomotive Engineers, the Locomotive Firemen and Enginemen, the Railway Conductors, the Railroad Trainmen, and the Railroad Telegraphers, after their local and general committees and national representatives have failed to bring about an adjustment of difficulties, usually appeal to the mediators designated in the Erdmann (now the Newlands) Act. In case the mediation proceedings are ineffective, the dispute may go to arbitration. This appeal is usually preceded by a strike vote; but this is not necessary in presenting the dispute, as the mediators are governed by the gravity of an existing situation in deciding whether or not it should be considered.<sup>22</sup> The settlement by arbitration of the controversy between the Locomotive Engineers in 1912 and the Locomotive Firemen in 1913 and the eastern railroads of the United States is an illustration of the working of this act. The Iron Molders entered into agreements with the Stove Founders' National Defense Association in 1891, and the National Founders' Association in 1899, providing for continuance at work pending investigation and consideration of any grievance by a joint board.<sup>23</sup> A resolution passed at the 1899 convention and embodied in the constitution as a standing resolution declares that conciliation is an established policy of the union.<sup>24</sup> The results of the agreement with the National Founders' Association were, however, unsatisfactory, and led to the abrogation of the agreement.<sup>25</sup>

During the eighties a national uniform wage scale agreement was effected by the American Flint Glass Workers' Union and later by the Amalgamated Glass Workers, the Glass Bottle Blowers, and the Window Glass Cutters and Flatteners. A plan for the arbitration of disputes by a joint committee was submitted to the Ohio Valley Stone Contractors' Association by the secretary-treasurer of the

<sup>22</sup> C. P. Neill, "Mediation and Arbitration of Railway Labor Disputes," in *Bulletin of the Bureau of Labor*, January, 1912, pp. 6, 14.

<sup>23</sup> *Proceedings*, 1890, p. 69; 1895, pp. 13-16; 1899, p. 6.

<sup>24</sup> *Proceedings*, 1899, p. 126.

<sup>25</sup> *Proceedings*, 1902, pp. 609, 611.



Stone Cutters in 1892 and resulted in a mutual agreement.<sup>26</sup> The Operative Potters, after a disastrous strike in 1894, at their convention of the same year first discussed the making of an agreement with the manufacturers, and after several years of discussion an agreement was entered into, to go into effect in 1900. This agreement has been renewed annually and no general strike has ensued.<sup>27</sup> The general executive board of the Bricklayers and Masons since December, 1900, has entered into agreements with contractors in various parts of the country providing that all differences that may arise be sent to headquarters for adjustment. Pending the same, no strike can be entered upon by the members. Since 1901 there have been agreements between the International Typographical, the International Printing Pressmen's, the International Stereotypers and Electrotypers' Unions and the American Newspaper Publishers' Association, and since 1905 similar agreement has been made by the same association with the International Photo-Engravers' Union. The Coopers' International Union has had such agreements with the Machine Coopers' Employers' Association since 1905, and the National Association of Machine Printers and Color Mixers of the United States with the Wall Paper Manufacturers' Association since 1909. Practically the entire membership of the United Mine Workers outside of the anthracite field is working under district agreements. In 1898 at a joint interstate convention at Chicago an agreement was made covering the States of Illinois, Indiana, Ohio, and Pennsylvania.<sup>28</sup> A similar agreement was made in 1903 in the southwestern field covering Missouri, Kansas, Arkansas, and Indian Territory.<sup>29</sup> The Coal Hoisting

<sup>26</sup> Monthly Circular [Stone Cutters], February, 1892, Supplement, p. 3; March, p. 1.

<sup>27</sup> T. J. Duffy, *History of the Brotherhood of Operative Potters*, pp. 19-36.

<sup>28</sup> *Proceedings*, 1899, pp. 8, 9.

<sup>29</sup> Joint Interstate Agreement, 1906, p. 12; *Decisions of Joint Boards of Miners and Operators of Iowa*, 1906; *Proceedings*, 1904, pp. 27-28. President John Mitchell said in 1904: "In no instance has a strike taken place in advance of which we have not made overtures for peace and exhausted every conciliatory measure at our command" (*Proceedings*, 1904, p. 30).

Engineers had agreements with the Illinois Coal Operators' Association from 1901 to 1903 providing for the reference of disputes to officials of both organizations.<sup>30</sup> The International Longshoremen's Association have also since 1900 entered into various agreements.<sup>31</sup> The Granite Cutters entered into an agreement in 1907 with the National Association of the Granite Industry of the United States.<sup>32</sup>

In the national and district agreements made between national unions and employers' associations the national union and the employers' association ordinarily covenant that there shall be no cessation of work pending an attempt to adjust the dispute by the conference boards made up of an equal number of representatives from each side. The usual rule is that if the conference board fails to agree, either side may take such action as it sees fit. Very little has been done in the direction of providing for arbitration in the event that the board cannot agree. The national and district agreements obviously throw the control of strikes into the hands of the national union, since the national union makes the agreement and is responsible for its observance. There is a tendency, therefore, where such agreements exist for the national union gradually to extend its discipline over the local unions.

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<sup>30</sup> Agreements, 1901-1903.

<sup>31</sup> Agreements, 1911-1912, p. 2.

<sup>32</sup> Granite Cutters' Journal, July, 1907, p. 2; September, 1907, p. 2; January, 1908, p. 2.

## CHAPTER IV

### THE INITIATION OF STRIKES

The general usage in strike initiation is that the local union make some effort at adjustment of grievances with employers before entering on a strike. If the local union fails in the endeavor to settle a difficulty by conciliation or arbitration, a representative of the national union is sent to the place. If the national deputy system does not exist, a full report of the difficulty is sent to the general executive board of the national union with a request for advice or, more usually, for sanction to strike. In unions where local autonomy exists the supervision of the national union is, of course, not very rigid, but in unions where there is centralization of control the local union must follow the directions of the national union.<sup>1</sup>

In a number of national unions the local unions must meet the following requirements before they are allowed to strike with the consent or support of the national union: All local unions involved must have been affiliated with the national union a certain length of time; they must have paid all dues or assessments, or they must be paying a certain amount of dues. The period of affiliation required varies from three months to one year, the usual rule being six months. The purpose of the second requirement is apparent, while the third is found in unions such as the Bakers, the Book Binders, the Brewery Workers, and the Hotel and Restaurant Workers, whose members do not pay uniform dues.

The reason for these rules, especially the first, lies in the fact that new local unions, before becoming thoroughly organized, are generally impatient for results and expect

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<sup>1</sup> See the following chapter on The Independent Strike.

to achieve in a short time what has cost other older local unions long continued effort. The probability of defeat for a local union involved in a strike soon after organization is strong, and is given by some as the main reason for these rules. "The union had just been formed, and very frequently there are men that think it is a part of their existence to give the boss a squeeze every time there is an opportunity," said a general officer of the Coopers' Union in regard to an inexcusable strike in 1871.<sup>2</sup> "The policy of the parent bodies in this respect is the result of long and costly experience," says an editorial in the *Car Worker*, ending with the declaration that "conditions, not theories, should govern."<sup>3</sup> Secretary O'Dea, in recommending to the convention of 1886 of the Bricklayers and Masons the replacement in the constitution of the time provision left out through some oversight for several years, said: "The object being to guard against the admission of a Union for selfish purposes, and to show their good intention of remaining with us."<sup>4</sup> The president of the Cement Workers complained in 1907, in regard to some trouble he had been summoned to adjust, that some members wanted to get everything at once, and that new local unions, as soon as they got cards, expected the employer to concede everything. New local unions, he said, are told that they should remember that it has taken years of hard work and untold sacrifices to secure the conditions enjoyed by the older local unions.<sup>5</sup> An additional reason for the rules is the fact that when zeal carries a new local union into a strike and defeat ensues, reorganization is likely to be more difficult than was the building up of the local union in the first place.

The constitutional rules governing the action of local unions in regard to difficulties provide as far as possible for a calm and rational consideration of the question of a

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<sup>2</sup> *Coopers' Journal*, July, 1871, p. 283.

<sup>3</sup> *The Car Worker*, September, 1903, p. 3.

<sup>4</sup> *Proceedings*, 1886, p. 49.

<sup>5</sup> *Proceedings*, 1907, p. 7.

strike.<sup>6</sup> In most unions members must be notified by mail or in person, or other sufficient notice given of any meeting of a local union where a strike vote is to be taken or considered. In some unions, like the Painters, the Operative Plasterers, the Stogie Makers, and the Tile Layers, notice ranging from ten to ninety days must be given an employer before enforcing a demand. The usual requirement is that a special meeting shall be called for the particular consideration of any grievance and the taking of a strike vote.

The requirement of most of the national unions is that in voting upon a strike a secret ballot shall be taken. The Teamsters provide explicitly that "the ballot taken must be by 'yes' or 'no,' written on paper ballots."<sup>7</sup> Unanimous strike votes usually arouse the suspicion at the general union headquarters that the vote was not taken in accordance with the rules. Members in order to vote must be in good standing and must have been members of the local union for at least a certain period, varying from three to six months in different unions. The Granite Cutters provided in 1880 that the officers of local branches should "consult together and, if necessary, adjourn any meeting of importance when, in their judgment, the members are laboring under too much excitement to vote understandingly."<sup>8</sup>

In most unions a decisive vote is required to strike, and this vote must be more than a mere majority. The general requirement is that a two-thirds majority is necessary, while a large number of unions require a three-fourths

<sup>6</sup> Rules to govern the initiation of strikes were formulated as early as 1854 by the Journeymen Stone Cutters' Association. A two-thirds majority vote of members present was necessary to sanction a strike for higher wages, while a mere majority only was necessary against a reduction (Constitution and By-Laws, 1854, art. viii). In 1858 the Baltimore branch applied to the executive for permission to strike on the first Monday in June if necessary. The local secretary said: "At the same time we wish to say, if we are granted the power to strike on the aforesaid date, we shall in all probability defer it, if at that time we think our chances of success are doubtful" (Stone Cutters' Circular, April, 1858, p. 2).

<sup>7</sup> Constitution, 1910, sec. 62.

<sup>8</sup> Constitution, 1880, art. xiii.

majority. The Coopers require four-fifths, and the Railroad Clerks sixty per cent.

In some unions strike votes are taken in asking for sanction to strike, and if the decision of the general executive board or the referendum vote is favorable the strike can be called at once; but in the larger number of unions the strike vote can be taken only after a favorable reply has been received from the general executive board. The Brewery Workers require that after the consent of the national executive board to a strike has been obtained, the question shall be considered by the local union; a vote must be taken by ballot, and a two-thirds majority is required to make a strike legal.<sup>9</sup> Other unions such as the Bookbinders, the Plate Printers, and the Theatrical Stage Employees require that a meeting to take action must be called by the president of the local union interested within twenty-four hours after a strike has been authorized by the general executive board.

Many national unions insist that when there is more than one local union in a city or district a joint meeting must be held before any strike can be ordered. The Bricklayers and Masons in 1885 adopted such a rule at their convention, and provided that a two-thirds majority of all those voting should be necessary before any strike could be declared.<sup>10</sup> The Brush Makers and the Metal Polishers do not allow the calling in of a general officer until such a conference has been held. The Amalgamated Woodworkers provide that at such a general meeting the difficulty be considered and arrangements made for the management of the strike, should the necessary three-fourths vote favor such action.<sup>11</sup> The usual practice is for local unions situated near together to maintain some form of standing organization, variously denominated district union, district council, conference board, joint executive board, joint standing committee, joint advisory board, district executive board, joint council, local joint executive

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<sup>9</sup> Constitution, 1910, art. x, sec. 12.

<sup>10</sup> Proceedings, 1885, p. 88.

<sup>11</sup> Constitution, 1905, art. v, sec. 126.

board, or local council. Some such form of organization, together with reference thereto of grievances and preliminary action in regard to strikes, is required by some fifty general unions.

These standing boards or committees are made up in various ways. The Bookbinders provide that the committee shall consist of not less than two members from each local union, and that its duty shall be to meet at least once a month and report to the executive council of the national union the conditions of trade and to endeavor to adjust any difficulty that may arise.<sup>12</sup> In the Brewery Workers the basis of representation is as follows: Each local union is entitled to a delegate for every one hundred members or fraction thereof, but no local union has a right to send more than five delegates. In localities where no quorum can be constituted on the basis of representation as given above, the different unions are required to form a joint local executive board, consisting of seven delegates, who are to be elected by the different local unions in proportion to their respective membership.<sup>13</sup> The Piano and Organ Workers and the Steam Engineers provide for equal representation from each local union.

The district councils and district unions limit the power of the local unions and extend the control of the national union over strikes. They have full power usually to adjust all differences between local unions and their employers subject to the approval of the general executive board, which has usually sole power to call a strike. The Bakery and Confectionery Workers, the Bookbinders, the Broom Makers, and a few other unions provide that an appeal can be taken by a local union to the general executive board when permission to strike is denied by the district union. The authority of these district organizations is limited directly by the rule of the national union which requires that all by-laws and trade rules of such organizations must be approved by the national officials,

<sup>12</sup> Constitution, 1910, art. x, sec. 8.

<sup>13</sup> Constitution, 1910, art. iv, sec. 1.

or at least that such rules must not violate any provision of the national constitution. All these conditions make the authority of the national union paramount.

In some national unions, however, the authority of the district union is more extensive. The joint executive board in the Piano and Organ Workers, for example, can order a strike if more than a thousand members are involved.<sup>14</sup> The district unions of the United Mine Workers of America have power to declare strikes and some of them have paid large amounts of strike benefits; but the tendency is towards control by the national officers, especially when strike benefits are paid by the national organization.<sup>15</sup> The same thing is true to a large extent of the district lodges of the International Association of Machinists and of the International Brotherhood of Boiler Makers. A large degree of control is exercised by the district committees of the Amalgamated Iron, Steel and Tin Workers of America and the International Tin Plate Workers' Protective Association of America. Such committees have power after investigation to legalize a strike, but this degree of local autonomy is more apparent than real because one of the four members of the committee is a national officer, a vice-president of the national union.

The above examples are exceptions to the general rule, and the tendency is toward national control. President John McNeil of the Boiler Makers declared in 1899 that district lodges should not call strikes and that discipline must be maintained,<sup>16</sup> while at the 1908 convention of the same body President Dunn recommended that their authority be strictly limited.<sup>17</sup>

In those unions where local autonomy is complete, neither referendum nor action by the general executive board is necessary to sanction a strike; but, as has already been pointed out, the larger number of national unions

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<sup>14</sup> Proceedings, 1902, p. 90.

<sup>15</sup> Proceedings, 1911, pp. 468-511.

<sup>16</sup> Journal of the Brotherhood of Boiler Makers and Iron Shipbuilders, October, 1899, p. 310.

<sup>17</sup> Ibid., July, 1908, p. 429.



require executive consent even in cases when strike benefits are not paid by the national organization. The tendency is to make the decisions of the general executive boards binding upon the local unions. The right of appeal is, however, allowed by some national unions, but pending the appeal the local union must abide by the decision of the board. In certain emergencies some national unions permit, however, a local union to go on strike without the consent of the general executive board. A local union of the Blacksmiths has the power in case of emergency to call a strike, if approved by the local executive board of the district council, provided such an emergency strike does not involve more than ten men. But if the difficulty involves more than ten members, no strike can take place without the consent of the general president and the executive board.<sup>18</sup> The Coopers provide that in case of discrimination by an employer against a member or in case of reduction of the scale of wages and hours the local union may declare a strike without sanction from the general office.<sup>19</sup> The general president and the secretary-treasurer of the Bookbinders have the right to sanction a strike when immediate action is considered absolutely necessary, but only in that case.<sup>20</sup> The Paving Cutters likewise direct their executive officer, the secretary, to support members in resisting any condition forced by an employer if instant action is necessary.<sup>21</sup>

Certain definite rules limiting the number of strikes are maintained by a number of national unions. One such restraint is the provision forbidding strikes during certain seasons of the year when trade is apt to be dull. The Bricklayers and Masons passed a resolution at their convention of 1871 that no aid should be given by the national union to any local union striking between the 15th of November and the 15th of March.<sup>22</sup> The Cigar Makers

<sup>18</sup> Constitution, 1909, art. viii, sec. 1.

<sup>19</sup> Constitution, 1910, sec. 60.

<sup>20</sup> Constitution, 1910, art. x, sec. 3.

<sup>21</sup> Constitution, 1909, art. xvii, sec. 1.

<sup>22</sup> Proceedings, 1871, p. 25.

in 1881 provided for the suspension of applications for an increase of wages from November 1, 1881, until April 1, 1882,<sup>23</sup> and at the 1884 convention an annual suspension was made a part of the constitution.<sup>24</sup> In 1885 the rule was changed so that the time of suspension varied with geographical location.<sup>25</sup> Strikes are now forbidden during the months mentioned, except in the States of Virginia, South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas, where strikes are forbidden from April 1 to October 1 of any year. The Carpenters and Joiners likewise provided in 1890 that no general strike should be sanctioned from November 1 to April 1.<sup>26</sup> One of the general officers declared at the 1890 convention that no greater danger confronted the organization than unsanctioned strikes begun too early in the season. "Carpenters cannot and should not strike at the same time in the season as Masons and Bricklayers. Our work comes after theirs, and our demands should not be made until the new work is well under way. Early strikes are attended almost universally by defeat."<sup>27</sup> The Sheet Metal Workers passed a rule in 1891 that, except in case of extreme provocation, no strike should be declared between the first day of January and the first day of June of any year.<sup>28</sup> Various changes were made from time to time in the dates at which the no-strike period began and ended, and the rule was finally dropped at the revision of the constitution in 1903. The Piano Workers also do not sanction strikes for an increase of wages between the first day of June and the first day of August, and the first day of January and the first day of March of any year. Exceptions are made, however, in the case of strikes against a reduction of wages

<sup>23</sup> "Resolved, That all local unions suspend applications for an increase of wages from the commencement of November 1st, 1881, until April 1st, 1882. This shall not be binding upon unions, who are compelled to strike against those who have the 'truck' system, reduction of wages, and 'lockouts' forced on them by their employers."

<sup>24</sup> Constitution, 1884, p. 20.

<sup>25</sup> Constitution, 1886, p. 15.

<sup>26</sup> Constitution, 1890, p. 17.

<sup>27</sup> Proceedings, 1890, p. 20.

<sup>28</sup> Constitution, 1891, art. xiii, sec. 17.

or against the introduction of the truck system or the contract system.<sup>29</sup>

In addition to these specific rules, the policy of most strong unions is against strikes during periods of trade depression. Chief Arthur of the Locomotive Engineers declared in 1894 in regard to the Chicago Railroad strike of that year that the brotherhood had nothing to do with it as an organization and that any man encouraging a strike during hard times was unfit to be at the head of any labor organization. "There is a time to strike if you have a good cause and there is a time not to strike."<sup>30</sup> The general council of the Amalgamated Woodworkers reported in 1896 that they had discouraged applications for strike sanction because they believed "that the time, condition of trade, and other factors militated against the probability of success and, knowing how injurious lost strikes are, we adopted a policy that was in every sense conservative."<sup>31</sup>

A more effective device for the control of strikes is found in the limitation of the number which may be carried on at one time. A writer in 1836 remarked that two branches of the Philadelphia General Trade Union did not strike at the same time, and that because "of this policy the general fund is not too heavily taxed, and the other branches having employment can contribute to it."<sup>32</sup> At the present time, the rules of the Blacksmiths<sup>33</sup> give the general executive board power to prevent the general president from sanctioning more than one strike at any one time. The Sheet Metal Workers discourage more than one strike at a time, but provide that emergencies may be met by the general president with the sanction of the executive board as the occasion may require.<sup>34</sup> The Tile Layers explicitly limit

<sup>29</sup> Constitution, 1906, art. vi, sec. 16.

<sup>30</sup> Locomotive Engineers' Monthly Journal, September, 1894, p. 847.

<sup>31</sup> Proceedings, 1896, p. 189.

<sup>32</sup> J. R. Commons and E. A. Gilmore, *Documentary History of American Industrial Society*, vol. vi, p. 51.

<sup>33</sup> Constitution, 1909, art. v, sec. 4.

<sup>34</sup> Constitution, 1909, art. xii, sec. 3.

the number of strikes at any given time to one.<sup>35</sup> The Coopers,<sup>36</sup> the Electrical Workers,<sup>37</sup> and the Operative Plasterers<sup>38</sup> do not support more than two strikes at a time, the last named union providing that "the first two strikes shall be sustained in order as they apply, providing the executive board decides their claim is just."

The gradual growth of the idea of limiting the number of strikes is seen in the history of the Bricklayers and Masons and of the Carpenters. The secretary of the Bricklayers and Masons complained in 1885 that every application to strike, if properly drawn and voted for by the local unions, was sanctioned and that there was no limit to the number of strikes. This produced an "endless amount of confusion, ill-feeling and misunderstanding" as to strike assessments.<sup>39</sup> A rule was passed at the 1885 convention to the effect that only one local union could strike at a time.<sup>40</sup> Local unions desiring to go on strike were required to wait until any previous application for strike sanction had been disposed of. The limitation of one strike at a time was changed to three at the 1887 convention.<sup>41</sup> The Carpenters and Joiners also at their first annual convention in 1881 provided for only one strike at a time.<sup>42</sup> This rule was soon repealed, but in 1890 provision was made that when any strike or lockout or any number of strikes involved more than 3000 members no other strike should be sustained or financially aided at the same time by the national union.<sup>43</sup> The number involved was in 1900 increased to not over 6000. The Stone Cutters in 1894 substituted for the rule forbidding the sanction of more than two strikes at one time a new rule which forbade the sanctioning of new strikes when ten per cent of the membership of the national union were on strike.<sup>44</sup>

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<sup>35</sup> Constitution, 1899, art. xiii, sec. 4.

<sup>36</sup> Constitution, 1910, sec. 69.

<sup>37</sup> Proceedings, 1911, p. 60.

<sup>38</sup> Constitution, 1910, art. vii, sec. 16.

<sup>39</sup> Proceedings, 1885, p. 34.

<sup>40</sup> Ibid., p. 65.

<sup>41</sup> Proceedings, 1887, p. 139.

<sup>42</sup> Constitution, 1881, art. xx, sec. 4.

<sup>43</sup> Constitution, 1890, sec. 133.

<sup>44</sup> Proceedings, 1894, p. 6.

Another device intended to limit the number of strikes is the rule which forbids a local union to make a second application for strike sanction for the same grievance until a certain period of time has elapsed after the disapproval of the first. The Cigar Makers<sup>46</sup> fix the term at three months, dating from the rejection of the first, as do the Plumbers,<sup>46</sup> while the Piano Workers<sup>47</sup> make the period two months and the Blacksmiths<sup>48</sup> one month.

Another method of limiting strikes is to prohibit all strikes for a definite period by a vote of a convention of the national union. President Saffin of the Iron Molders in 1878, for instance, renewed his recommendation of the previous year that strikes cease for one year and the money so used be expended in agitation and in building up the organization.<sup>49</sup> A resolution was passed at the Carriage and Wagon Workers' convention of 1903 to the effect that no local union should be permitted to strike for a period of one year.<sup>50</sup> At the 1906 convention of the same organization a resolution forbidding strikes for three years was offered and, although not adopted, is significant because of the reason given for its presentation. The author urged its adoption "in order that during a reign of industrial peace the craft throughout the country might be thoroughly organized and a fund collected and saved to insure success to those who by consent of a convention or the Executive Board may enter into industrial war."<sup>51</sup>

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<sup>46</sup> Constitution, 1888, art. vi, sec. 9; 1896, 20th Edition, sec. 87.

<sup>46</sup> Constitution, 1910, sec. 171.

<sup>47</sup> Constitution, 1906, art. vi, sec. 9.

<sup>48</sup> Constitution, 1909, art. vii, sec. 7.

<sup>49</sup> Proceedings, 1878, p. 7.

<sup>50</sup> Proceedings, 1903, p. 3.

<sup>51</sup> Proceedings, 1906, p. 6.

## CHAPTER V

### THE INDEPENDENT STRIKE

The independent or unauthorized strike may be defined as a strike inaugurated by the local union without the consent of the officers of the national union or without compliance with the rules of the national union. The extent of control on the part of the national unions varies to a considerable extent: First, there are a number of national unions whose local unions have complete autonomy; second, several unions permit the independent strike under certain circumstances; third, a large number forbid any strike without official sanction.

In the first group of national unions, that is, those whose local unions have complete autonomy, are the Barbers, the Blast Furnace Workers and Smelters, the Commercial Telegraphers, the Composition Roofers, the Electrical Workers, the Hod Carriers and Building Laborers, the Print Cutters, the Shipwrights and Joiners, the Slate and Tile Roofers, the Steel Plate Transferers, the Wall Paper Machine Printers and Color Mixers, the Window Glass Cutters and Flatteners, and the Wood, Wire and Metal Lathers.

The absence of any control by the national unions in this group may be explained by the fact that as there are no defense funds, the local unions must finance their own strikes. When, however, the national union pays benefits, more control is obtained. The Barbers, for instance, in 1911 financed a strike for the first time, and through national officers on the ground looked after the interest of the national union from the initiation to the close of the strike. Even in the absence of benefits there is a tendency to discourage hasty or ill-advised strikes. The Hod Carriers passed a resolution at their 1911 convention that all

local unions should notify the general office not less than one month before going out on strike, and stipulated that to receive moral support new local unions must be chartered at least six months previous to a strike.<sup>1</sup>

In the second group are found some twenty unions belonging to the building trades which allow their members working on a particular building to strike at once when a grievance arises. The reason given is that it is necessary because of the need of prompt action; if delayed, the building will have been completed and the men scattered. A building is usually erected by giving the contract to one contractor, who sublets to many other contractors. A strike on one building involves only a few men, and unless it spreads costs but little. The various local unions are organized usually in a building-trades council, and if a strike is called by one union the rest go out in sympathy. A good deal of authority is given to the business agent or "walking delegate," at whose discretion such a strike may be called. The rise of the large contractor and the making of agreements are, however, influences tending to the abolition of the single-building strike. The Bricklayers and Masons, for instance, prohibit all such sympathetic strikes and provide for agreements and arbitration. The work of this union is ordinarily under the general contractor and not under a subcontractor, and as it usually comes first in point of time additional strength is thus gained in strike control. But even a general local strike may be entered into by local organizations among many building-trades unions provided they pay their own expenses and do not appeal to the general union for strike benefits.

Several other national unions, such as the Bill Posters, the Brewery Workers, the Cap Makers, the Cloth Weavers, the Hotel and Restaurant Workers, the Ladies' Garment Workers, the Stogie Makers, the Teamsters, and the Theatrical Stage Employees, also allow their local unions under certain conditions to strike without the consent

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<sup>1</sup> Proceedings, 1911, p. 19.

of the national union. The general rule in these unions is that in an emergency involving only a small number of men or in a case where no financial assistance is expected, the local union may strike independently. Local unions of the Cloth Weavers, for instance, are allowed to strike on their own responsibility for the first four weeks; after that time the national union assumes charge of the strike, provided that after investigation the local union is found to have been justified in striking.<sup>2</sup> No strike benefits are paid by the Hotel and Restaurant Workers unless the strike has been sanctioned by the general executive board before being ordered, but they do not "deprive any of their local unions of the right to strike whenever they feel their interests can only be served by such a course." The local union so striking does so, however, upon its own resources and at its own risk, and has no financial claim either upon the national union or upon the other local unions. Strikes for higher wages may be entered into by the local unions of the Stogie Makers without the consent of the national executive board if the local union finances the strike.<sup>3</sup> The local unions of the Ladies' Garment Workers may strike without the moral and financial support of the general union, but if more than one local union is concerned sanction is necessary. The general officers insist, however, that more authority on their part is needed.<sup>4</sup>

The national unions in the third group forbid their local unions to go on strike without official sanction. Any strike entered upon without such sanction is termed illegal. In this group may be found the Brewery Workers, the Bricklayers and Masons, the Cigar Makers, the Coopers, the Broom Makers, the Brick, Tile, and Terra Cotta Workers, the Compressed Air Workers, the Cutting Die and Cutter Makers, the Elastic Goring Weavers, the Elevator Constructors, the Glove Workers, the Hatters, the Iron, Steel and Tin Workers, the Machinists, the Maintenance of Way Employees, the Meat Cutters, the Metal Polishers,

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<sup>2</sup> Constitution, 1909, p. 7.

<sup>3</sup> Constitution, 1909, art. v, sec. 7.

<sup>4</sup> Constitution, 1911, pp. 39-40; Proceedings, 1910, p. 19.



the Iron Molders, the Paper Makers, the Pulp Workers, the Pavers, the Paving Cutters, the Printers, the Quarry Workers, the Locomotive Engineers, the Locomotive Firemen, the Railroad Trainmen, the Railroad Telegraphers, the Railroad Expressmen, the Retail Clerks, the Saw Smiths, the Seamen, the Slate Workers, the Street and Electric Railway Employes, the Switchmen, the Tin Plate Workers, the United Mine Workers, the United Powder Workers, the Wire Weavers, the Window Glass Workers, the Flint Glass Workers, the Printing Pressmen, the Photo-Engravers, and the Operative Potters.

The abolition in this third group of the independent strike on the part of local unions has been brought about only after many years of effort and experimentation. The evolution which in many respects is common to all may be best illustrated by a brief consideration of the history of several typical organizations. These unions have found it necessary to prevent the independent strike because of its destructive effects not only on the local union but also on the national organization. In addition, the influence of agreements and of the sympathetic strike has been particularly important in bringing the independent strike to an end.

The Iron Molders have always been a militant union. As early as 1866 one of their local unions declared its intention to strike with or without permission of the national union.<sup>5</sup> President Saffin declared in 1873 that the greatest drawback for many years to their progress as an organization had been the large number of illegal strikes and that the progress of the three preceding years had been due to the rigid enforcement of strike laws.<sup>6</sup> Again in 1875 he declared that "strikes in violation of law, ending in defeat, always end in the destruction of the union. Blind zeal is not enough."<sup>7</sup> Illegal strikes, however, continued in spite of these warnings, and the convention of 1882 placed the sanction of strikes in the hands of the

<sup>5</sup> International Journal [Iron Molders], November, 1866, p. 256.

<sup>6</sup> Ibid., April, 1873, p. 1.

<sup>7</sup> Iron Molders' Journal, September, 1875, p. 425.

national president and executive board. To enforce this arrangement the penalty of expulsion, afterwards changed to suspension, was provided.<sup>8</sup> In 1886 an illegal strike, originating in Cincinnati and embracing during its nine months' duration many thousand molders in the Central West, was a failure on account of trade conditions. It was declared again at the convention of 1886 that the independent strike should not be allowed. Local unions, however, protested that, if they were held down too closely to the rule and had to submit their grievances to the national executive board, they would lose their best opportunity to strike.<sup>9</sup> Two independent strikes took place in 1901 after sanction had been denied by the executive board,—“the first instance in many years,” declared President Fox, “wherein locals have persisted as a body in an attitude of open defiance of the National Union.” Other local unions were encouraged to attempt the same policy. The matter was taken up at the convention of 1902, and the Chicago conference board was persuaded to declare the independent strike off in that city, and to secure sanction by making application in the usual way.<sup>10</sup> It was also made mandatory upon the president and the executive board to suspend all members participating in unsanctioned strikes and to have their suspension recorded if such insubordination continued.<sup>11</sup>

A gradual development took place also in the Cigar Makers' Union. As early as 1873 the national union had inaugurated the policy of attempting to arbitrate grievances before calling a strike and of referring proposed strikes to the national organization.<sup>12</sup> In 1876 control of strikes was not very effective, and the official editor wrote: “The disposition to strike on almost every occasion has produced the greatest demoralization to our whole organiza-

<sup>8</sup> Proceedings, p. 76; Constitution, 1888, art. vii, sec. 2.

<sup>9</sup> Proceedings, 1886, pp. 9, 17.

<sup>10</sup> Proceedings, 1902, pp. 615, 729.

<sup>11</sup> Iron Molders' Journal, September, 1907, p. 652; Constitution, 1907, art. vii, sec. 3.

<sup>12</sup> Cigar Makers' Official Journal, September, 1873, p. 6.

tion."<sup>13</sup> President Strasser declared in 1880 that "the safety and future of our union demands that all unauthorized strikes be stopped because in the long run they will surely be failures." In 1881 the official editor said the constitution provided that only those strikes officially sanctioned could be supported financially, and urged that the national officers be trusted by the local unions in authorizing strikes.<sup>14</sup> In 1884 the rule was strengthened by providing that "no member or union shall be considered on strike unless said strike shall have been approved by the proper authorities of the International Union."<sup>15</sup> The disastrous results of a strike in Cincinnati in 1884, entered into against the advice of the national officials, made clear the necessity of adopting some means to compel local unions to settle their grievances in accordance with the interests of the national organization. The result of this long and bitter contest, brought on by the refusal to arbitrate, was the passage of a rule at the convention of 1885 at Cincinnati authorizing the executive board to appoint an arbitration board to act with the local committee. The arbitration board was given power to force a conference, and the results of such conference were to be binding, even if not agreeable to the local union involved, if approved by a general vote.<sup>16</sup> In the report of President Strasser at the convention of 1887 he said: "Our unions have gradually recognized the necessity of discipline and the enforcement of our laws governing the management of strikes. Independent strikes have become a matter of the past, not to be revived or tolerated again."

The Carpenters and Joiners since their organization in 1881 have required that their local unions in order to receive assistance shall obtain the authority of the general executive board before striking.<sup>17</sup> In 1894 detailed movements were declared to be better than local ones, while

<sup>13</sup> Cigar Makers' Official Journal, March, 1876, p. 4.

<sup>14</sup> Ibid., April, 1881, p. 1.

<sup>15</sup> Constitution, 1884, p. 19.

<sup>16</sup> Proceedings, 1885, p. 6; Constitution, 1885, p. 15.

<sup>17</sup> Constitution, 1881, art. xx, sec. 8.

today a local union engaging in a general strike without sanction renders itself liable to expulsion.<sup>18</sup>

Among the unions which forbid independent strikes there are marked differences in the efficacy of such rules, and unauthorized strikes occur at times. The tendency, however, is toward a more rigid enforcement of discipline through the infliction of penalties. There are a number of unions in this class—the Boot and Shoe Workers, the Bookbinders, the Brewery Workmen, the Iron, Steel and Tin Workers, the Locomotive Engineers, the Locomotive Firemen, the Railroad Trainmen, the Switchmen, the Railroad Telegraphers, the Railway Carmen, the Railway Clerks, the Street and Electric Railway Employees, the Printers, the Stereotypers, the Photo-Engravers, the Pressmen, the Railway Conductors, the Operative Potters, and the United Mine Workers—in which unauthorized strikes are effectually punished by filling the places of the strikers, by withdrawing the charter of the local union, or by expelling the strikers. The policies of the Printers and of the various railway brotherhoods illustrate this evolution.

When the "defense fund" was established in the Typographical Union, aid was given only in case the strike was sanctioned by the executive council. Many of the larger unions continued, however, to finance their own strikes and did not seek authorization. Professor Barnett has described this: "Although the 'general laws' of the International required that no strike or lockout should be 'deemed legal' unless 'authorized or recognized by the executive council,' and, also that 'to affect union men prejudicially to their standing in the Union the strike must have been authorized in accordance with the International law,' local unions frequently disregarded these provisions and declared strikes without consulting the executive committee. As the interests of the union became more fully nationalized and a national policy developed, the members came to realize that a striking union, even though it paid its own expenses, might seriously imperil the success of an

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<sup>18</sup> Proceedings, 1894, p. 26; Constitution, 1911, sec. 139.

International policy. The unhappy outcome of two unsanctioned strikes in the fiscal year 1903-04 led to the enactment by the session of the International in 1904 of a rule which required the council to 'immediately disown' all strikes occurring without its sanction, and 'to guarantee protection to all members who remain at, accept, or return to work in offices affected by an illegal strike.'"<sup>19</sup> In 1904 President Lynch said: "If the law is not strong enough and explicit enough to prevent unauthorized strikes, then change should be made."<sup>20</sup>

The railroad brotherhoods allow no strikes except those authorized in accordance with the laws of the national union. Members inciting or taking part in an unauthorized strike are on conviction expelled; and if a lodge fails to expel within ten days such striking members, its charter may be revoked by the head of the order, who is directed to transfer to other lodges or system divisions all members not participating in the refusal to expel.

The railway brotherhoods have practically identical methods as to the control of strikes, for the reason that they are employed by the same corporations, have worked together many times in the settling of grievances, have had to a large extent a similar history, and are today bound by common agreements with the railroads which must be enforced by their officers. The strike rules of one order have been taken also as a model by another, as in the case of the Conductors in 1891, who made free use of the rules of the Locomotive Firemen.<sup>21</sup>

The Brotherhood of Locomotive Engineers, the oldest and perhaps the strongest of the railroad brotherhoods, has always opposed unauthorized strikes. A proposed act of federal incorporation brought up at the convention of 1871 provided that any subdivisions organized under the act which "shall by their advice and counsel induce any engineer or engineers, to interfere by a strike with the trans-

<sup>19</sup> Barnett, *The Printers*, p. 323.

<sup>20</sup> *Proceedings*, 1904, p. 5.

<sup>21</sup> *Proceedings of the Order of Railroad Conductors*, 1891, pp. 341, 347.

portation of the mails or other Government property, or who shall refuse to expel any of their members who shall so interfere, shall forfeit their Charter and all the right and interests they may have in any common fund of the Brotherhood that may be accumulated at that time."<sup>22</sup> Through the efforts of Grand Chief Engineer Arthur thirteen agreements were made from 1874 to 1877 with various railroads providing for wages, promotion, and arbitration of difficulties. This policy has been continued until the present day.

The Order of Railway Conductors during its early history was a non-striking organization. The necessity of definite laws distinguishing legal from illegal strikes was brought out clearly by a strike in April, 1891, on the Union Pacific Railroad when some of its members went on strike without consulting the grand chief conductor or any head officer of the order and without any meeting or consultation concerning grievances with the railroad officials. In settling the strike Grand Chief Conductor Clark called in to assist him Grand Master F. P. Sargent, of the Brotherhood of Locomotive Firemen, and Grand Master S. E. Wilkinson, of the Brotherhood of Railway Trainmen, and the three agreed that the action of the men was radical, ill-advised, and unreasonable. This strike led Grand Chief Conductor Clark to say: "The time has come when it is absolutely necessary for all organizations in Railroad service to lay down a definite line between a strike legally authorized by an organization, and a wild-cat strike which is inaugurated by irresponsible individuals. Certainly, if the members of these organizations are going to follow the lead of every irresponsible individual who declares himself on a strike, there is no further use for organization."<sup>23</sup> The convention of 1891, to which these words were addressed, enacted strike laws which remain substantially unchanged today. The rule was then adopted that any member engaging in a strike not legally authorized should be expelled on conviction.<sup>24</sup>

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<sup>22</sup> Proceedings, 1871, p. 40.

<sup>23</sup> Proceedings, 1891, p. 21.

<sup>24</sup> Ibid., p. 347.

In 1888 the Brotherhood of Railroad Brakemen, whose title was changed in 1889 to the Brotherhood of Railroad Trainmen, adopted a rule in convention to the effect that all members should hold themselves in duty bound to keep in good faith any agreement entered into by any railroad and the representatives of the brotherhood. Any violation of such agreements by any member was to be punished by expulsion.<sup>25</sup> In 1889 it was made the duty of the grand master to suspend at once the charter of any lodge refusing to carry out the instructions of the general grievance committee, and in 1891 it was provided that any member or members inciting a strike or participating in one, except as provided by the rules of the order, should upon conviction be expelled.<sup>26</sup> The convention of 1893 strengthened the rules against strikes as follows: (1) members inciting or participating in an unauthorized strike to be expelled; (2) the lodge in whose jurisdiction an unauthorized strike occurs to expel within ten days all members engaged in such strike; (3) the charter of the lodge failing to expel within ten days members so engaged to be revoked by the grand master, who is then obliged to transfer the non-striking members to other lodges; and (4) no member under charges of taking part in an unauthorized strike to be granted a travelling, transfer, or withdrawal card.<sup>27</sup> These rules, phrased in identical language, govern the Locomotive Firemen,<sup>28</sup> the Railway Clerks,<sup>29</sup> the Maintenance-of-Way Employees,<sup>30</sup> and the Railway Carmen.

A determining experience against illegal strikes, as far as the railroad brotherhoods are concerned, was the Pullman strike of 1894 and the calling out of railway employees in a sympathetic strike by the American Railway Union. This latter organization was formed in 1893, and, unlike the older brotherhoods, embraced in its membership men from all branches of the railroad service. Its officers were

<sup>25</sup> Constitution, 1888, General Rules, sec. 13, p. 27.

<sup>26</sup> Constitution, 1889, sec. 26, p. 26; 1891, General Rules, 10, p. 30.

<sup>27</sup> Constitution, 1893, p. 30.

<sup>28</sup> Constitution, 1894, p. 68.

<sup>29</sup> Protective Laws [n. d.], art. vi, sec. 1.

<sup>30</sup> Constitution, 1907, p. 31.

for the most part former brotherhood officials, its president, Eugene V. Debs, having been connected in an official capacity with the Brotherhood of Locomotive Firemen for some sixteen years, and its vice-president, George W. Howard, having been grand chief conductor of the Order of Railway Conductors.

The position taken by the brotherhoods during the strike was that they would expect their members to perform their proper, regular, and customary duties, but that their members must not be forced to perform duties not properly their own. Members were warned that if they left off work voluntarily or were dismissed for refusing to perform their proper and customary duties they could not expect any support from the brotherhoods. A number of members, including some leading officers, were expelled later for violations of their obligations.<sup>31</sup> Two years later Grand Chief Arthur of the Locomotive Engineers, in commenting on this strike, which caused President Cleveland to send troops to Chicago, said: "Experience has proved that strikes and lockouts which lead to violence and destruction of property afford no satisfactory relief. Workers can not afford to resist the law."<sup>32</sup>

Many of the members of the Switchmen's Mutual Aid Association took part in the strike without the sanction of their officials. The officers of the association stood by the rules and the validity of existing agreements. Grand Master Barrett declared that there would be no order issued to participate in the strike while he was grand master.<sup>33</sup> By the members striking "at the drop of the hat" some 2800 men lost their positions, and the result was the disruption of the association. The switchmen reorganized as the Switchmen's Union of North America in October of the same year, 1894, and have since laid much emphasis on rules providing for the expulsion of any member engaging in a sympathetic, illegal strike.<sup>34</sup>

<sup>31</sup> Proceedings of the Order of Railway Conductors, 1895, pp. 19-21.

<sup>32</sup> Locomotive Engineers' Monthly Journal, June, 1896, p. 511.

<sup>33</sup> Railroad Trainmen's Journal, August, 1894, p. 692.

<sup>34</sup> Switchmen's Journal, August, 1902, p. 1199; Proceedings, 1909, p. 38; Constitution, 1909, sec. 264.



The Locomotive Firemen did not join in the strike. As President Debs of the American Railway Union had been the secretary and treasurer of the Firemen, it was expected that his influence would be large. A statement which he had made during the Switchmen's strike at Buffalo in 1892, while secretary and treasurer of the Firemen, was quoted effectively against his later position. In 1892 he had said: "The grand master, nor any other grand officer, nor all of them combined cannot order a strike under any conceivable circumstances, and this is practically true of grand officers of all other organizations of railway employes. In just one way a strike can be legally authorized, and that is by a two-thirds vote of the members on the whole system. The grand master has no more authority to order a strike than you have to declare war against Canada. A sympathy strike is simply out of the question under our present laws, and I think I should know what the laws are, for, with the exception of a paragraph or two of minor importance, I drafted them all. Our laws provide explicitly that only the grievance of a member of our own order can be considered and that, if a strike is inaugurated or participated in under any other circumstances, the members so offending shall be expelled."<sup>35</sup> The Firemen met in convention in October, 1894, and besides receiving the resignation of Mr. Debs from the editorship of the Locomotive Firemen's Magazine, the official journal with which he had been connected for some sixteen years, strengthened materially the rules against unauthorized strikes, and defined more clearly the penalties for participation in an unauthorized strike.<sup>36</sup> The convention was not satisfied, however, with thus amending the constitution, but it also condemned violations of agreements and unauthorized strikes as "irrational, fanatical and illogical, and injurious to both employer and employee." The brotherhood's position was further defined in two strong resolutions.<sup>37</sup>

<sup>35</sup> Locomotive Engineers' Monthly Journal, August, 1894, p. 740.

<sup>36</sup> Constitution, 1894, sec. 221.

<sup>37</sup> The text of these resolutions was as follows: "Resolved, That it is the sense of this, the fourth biennial convention in Harrisburg as-

Sympathetic strikes constitute a peculiarly insidious form of the independent strike. The idea back of the sympathetic strike is that "an injury to one is an injury to all." The downfall of the Knights of St. Crispin, the Knights of Labor, and the American Railway Union—all of which were wrecked by sympathetic strikes—points to this conclusion. Moreover, the interests of the various classes of laborers are by no means identical. The railroad engineers and the railroad telegraphers, for example, have little in common; the first are highly trained and receive high wages, and the others have comparatively little training and receive low wages. Machinists and hod carriers present a still stronger contrast. It is not uncommon for the union going out on a sympathetic strike to have had no opportunity to prevent the strike.

Not only the railroad brotherhoods but many of the other national unions have passed rules to guard against local unions being swept off their feet by emotional appeals. The Granite Cutters, for instance, in 1880 provided that no local branch should enter into any arrangements with any other trade which might lead to any expense to the national union without a general vote of the members in good standing.<sup>38</sup> The Painters allow no local union expecting help to enter into a sympathetic strike in aid of other than building-trade unions without the consent of the general executive board.<sup>39</sup> The prohibition of dual

sembled, to denounce such action on the part of our members, and that in the future we shall insist that they live strictly up to the laws of the order and the contracts under which they are working at all times and in all places, and we emphatically declare that when we enter into an agreement with any railroad company to follow such agreement to the letter in accordance with the laws of the order. And further be it

"Resolved, That we demand on the part of the other labor organizations not to interfere with the members of the Brotherhood of Locomotive Firemen while working under such contracts, and it is the sense of this body that so long as we are not asked to perform work outside of our particular line of duty we will comply with any agreement entered into with any railroad company" (Constitution, 1896, p. 84; Proceedings, 1894, p. 582).

<sup>38</sup> Constitution, 1880, art. xxii.

<sup>39</sup> Constitution, 1911, sec. 79.

membership and obligation, as by the Locomotive Engineers in 1884, is designed to prevent the members of the brotherhood being involved with other organizations.<sup>40</sup> The Bookbinders were asked in 1894 to call out the bookbinders of Chicago and to levy an assessment for their support in sympathy with the American Railroad Union. The matter being brought up in the executive council of the Bookbinders, the conclusion was reached that the constitution prevented the council from even considering the proposition.<sup>41</sup>

The desirability of a general rule in regard to sympathetic strikes led the Iron Molders at the convention of 1899 to adopt a standing resolution to the effect that the Molders could cooperate with other unions only when the grievance was submitted and the request made before the struggle was begun and after it had been endorsed by the Molders' president and executive board in the usual way.<sup>42</sup> The Stove Mounters and the Metal Polishers have similar laws. The Amalgamated Woodworkers declare that in all sympathetic strikes local unions must act entirely upon their own responsibility, and their action does not in any way compromise the general council until the strike has been approved.<sup>43</sup> The Carriage and Wagon Workers likewise insist on a thorough investigation by the national union, and then allow such strikes only with the consent of that body.<sup>44</sup> The executive board of the Stone Cutters refused in 1901 to support the Peoria, Ill., branch in a strike in sympathy with the building-trades council, and in explanation the general secretary-treasurer wrote that "the executive board does not recognize any organization but a stone cutter's."<sup>45</sup> The president of the Boiler Makers in his report to the convention of 1906 cautioned his organization against entering into strikes with other organizations,

<sup>40</sup> Locomotive Engineers' Monthly Journal, November, 1905, p. 997.

<sup>41</sup> Proceedings, 1895, p. 11.

<sup>42</sup> Proceedings, 1899, p. 191.

<sup>43</sup> Constitution, 1905, sec. 133.

<sup>44</sup> Proceedings, 1906, p. 13; Constitution, 1911, art. x, sec. 6.

<sup>45</sup> Stone Cutters' Journal, February, 1901, p. 7.

especially when not consulted or considered before the original strike took place.<sup>46</sup>

The Stove Mounters in St. Louis, Mo., went out in sympathy with the Metal Polishers; in view of the fact that the national union was not notified until after the men struck, the strike was not sanctioned. Delegate Davis in discussing the case at the 1901 convention said: "While no doubt No. 34 made a serious mistake in doing what they did, our constitution at that time was not specific enough to cover the case in hand."<sup>47</sup> At this convention a rule was passed to the effect that "no local can strike without the consent of the executive board." This rule is still in force.<sup>48</sup>

The Blacksmiths have discussed at three of their conventions the various aspects of the sympathetic strike. The committee on relations with other organizations recommended in 1903 that the organization should not enter into sympathetic strikes conflicting with agreements "unless such conditions exist as will be a detriment to the advancement of all workingmen."<sup>49</sup> In 1905 one sympathetic strike was reported as sanctioned and another as taking place without sanction. President Slocum in his report in 1905 said: "Sympathetic strikes, however, are to be avoided and shunned as calculated to bring disaster to the organization entering upon one, because it usually proves to be a two-edged sword." President Kline complained in 1907 that every craft with a grievance tried to get the blacksmith shop closed, with the idea that it would have a better chance of winning. Then he added: "True, but if we followed every craft, we would be on strike half the time. Our laws should be well defined relative to strikes."

The usual penalty for entering on an illegal strike is the withholding of strike benefits. An exception to this rule is made by some unions whenever it can be clearly shown that no opportunity was afforded to carry out the consti-

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<sup>46</sup> Proceedings, 1906, p. 204.

<sup>47</sup> Proceedings, 1901, pp. 4, 21.

<sup>48</sup> Constitution, 1910, art. ix, sec. 10.

<sup>49</sup> Proceedings, 1903, p. 58.

tutional provisions and the provocation was so great that immediate action was necessary. In such cases benefits are paid by the Bookbinders, the Plate Printers, the Operative Potters, and the Photo-Engravers, while some unions give no financial aid but lend only their moral support, as in the case of the Metal Polishers. The denial of strike benefits is, however, accompanied at times by permission to appeal directly to other local unions for financial help. The executive board of the Metal Polishers refused benefits in the case of an illegal strike in New Jersey in 1911, but asked all local unions to contribute voluntarily.<sup>50</sup> But in nearly all unions no such appeal is allowed unless the general officers sanction its issue. The Sheet Metal Workers do not allow any direct appeal.<sup>51</sup> The Tobacco Workers go farther, and do not allow local unions to levy assessments or suspend members not paying the same if the assessments are in aid of an unauthorized strike.<sup>52</sup>

Some unions provide that members striking illegally shall be fined. The Box Makers, for instance, in 1911, after examining forty-five men fined three of them five dollars apiece for promoting an illegal strike. Other unions, such as the Operative Potters,<sup>53</sup> the Railway Carmen,<sup>54</sup> and other railroad brotherhoods, expel or suspend members so acting. The Boot and Shoe Workers automatically suspend and impose a fine of ten dollars on each person going out on strike in violation of arbitration agreements.<sup>55</sup>

The strongest means for the enforcement of the rules against independent strikes is the revocation or suspension of the charters of the striking local unions and the putting of men to work in place of those on strike. In 1873, for instance, division 115 of the Locomotive Engineers, on account of a violation of the rules of the brotherhood,

<sup>50</sup> Our Journal [Metal Polishers], February, 1912, p. 7.

<sup>51</sup> Sheet Metal Workers' Journal, May, 1912, p. 162; Constitution, 1909, art. xiii, sec. 6.

<sup>52</sup> Constitution, 1905, sec. 88.

<sup>53</sup> Constitution, 1910, sec. 69.

<sup>54</sup> Constitution, 1909, sec. 105.

<sup>55</sup> Proceedings, 1906, p. 95; Shoe Workers' Journal, January, 1911, p. 26.

had its charter suspended for one year, and its members deprived of all benefits and privileges for that time.<sup>56</sup> The unauthorized strike has rarely appeared in this organization, and it was not until 1905 that discipline for such action became necessary. A strike on the New York Interurban Railroad was participated in by division 105 of the Locomotive Engineers on March 9, 1905, in violation of the contract with the railroad. The strike was entered into without first calling in the grand chief engineer for assistance in adjusting the grievance. Moreover, positive instructions from the officials of the national union were kept from the men. The strike was described as a "hasty, ill-advised action, without either the knowledge or consent of the Grand Chief, illegal in every phase and in which there is a most regrettable evidence of indifference to obligated duty, as well as indifference to the welfare of our organization as a whole by breaking faith with a contract made in conjunction with the Grand Chief Engineer, aided by the influence and good name of the whole order, making a grievous break in our work of honor, upon which rests our contracts with nearly all the railroads of America, Canada, and Mexico." The charter of this division was revoked.<sup>57</sup>

That the rules of the Trainmen are not mere paper ones is proved by the enforcement of discipline against unauthorized strikes in that organization. The Switchmen, members of the Brotherhood of Trainmen, employed at New Haven, Conn., on the New York, New Haven and Hartford Railroad, went on strike in 1906 in violation of their contract with the railroad. After a thorough investigation of the affair Vice-Grand Master Val Smith, representing the brotherhood, pronounced the strike illegal, ordered the men back to work provided the company would reemploy them, and assured the company that the contract between it and the brotherhood would be maintained and

<sup>56</sup> Locomotive Engineers' Monthly Journal, January, 1875, pp. 33, 35. One member's family lost \$3000 life insurance.

<sup>57</sup> Ibid., April, 1905, p. 343.

that the brotherhood would furnish capable men to fill all vacancies.<sup>58</sup> A vigorous editorial in the official organ scored the action of the men in violating their contract and declared that the rule would be enforced.

The general officers of the Amalgamated Association of Street and Electric Railway Employees admonished a local union in 1901 "to confine itself strictly to the laws of our Association and the stipulations set forth in their contract with the company."<sup>59</sup> A strike on the New York subway in 1905 was declared illegal and "to be neither authorized or approved by the Association," and all loyal members were instructed to report for duty. The convention of the same year concurred in this action, and recommended that in such cases charters should be revoked.<sup>60</sup>

An unauthorized strike over the measurement of type set on the machines of the Chicago Examiner and the Chicago American took place on March 28, 1911. On the previous day Commissioner H. N. Kellogg, of the American Newspaper Publishers' Association, had telegraphed President Lynch of the national union that trouble was liable to occur. Immediately following the receipt of this telegram President Lynch wired President O'Brien of Chicago Local No. 16 as follows: "Kellogg wires me dispute with Hearst papers serious and trouble liable. Of course, under arbitration agreement, disputes must be peaceably adjusted, work continuing in the interim between raising of question and its settlement. Know that you will see agreement is observed." The first knowledge that any official of the International Typographical Union received that a strike had occurred was gained by President Lynch through a bulletin posted on a bulletin board in Washington. President Lynch telegraphed at once to President O'Brien of the Chicago local union: "Just learned of strike on Hearst papers, in violation of arbitration agreement and contract obligations. Men must return to work at once and pro-

<sup>58</sup> Railroad Trainmen's Journal, September-October, 1906, pp. 835-901.

<sup>59</sup> Proceedings, 1901, p. 9.

<sup>60</sup> Proceedings, 1905, pp. 18, 44.

tection guaranteed to those who obey this order." President Lynch also communicated at once with Secretary-Treasurer Hays and the executive council, and the strike, in accordance with the rules of the national union, was disavowed as illegal, and the men were ordered to report for work. The publishers of the Examiner and the American were also informed of this decision. The Chicago local union refused to carry out this order. The national officers then declared that if the men did not return to work the "executive council would order that type for the American and Examiner be set by members in other chapels, and that it would use every effort to see that the papers on which the strike occurred were issued with the least possible delay." The local union proving stubborn, telegrams were sent to the chairmen of the other Chicago papers instructing them to have set up any copy presented for the American and the Examiner unless the strikers returned to work at once.<sup>61</sup> The executive committee of the local union then ordered the men to return to work on the American and the Examiner.

The members of the Photo-Engravers' Union on the Pittsburgh Dispatch went out on an illegal strike in 1905, but were ordered to return to work by the national officers, and a deputy was sent who adjusted the dispute.<sup>62</sup> The International Stereotypers and Electrotypers' Union, likewise, opposes any illegal strike. Stereotypers' Union No. 4 of Chicago instituted a strike on the principal Chicago papers on May 3, 1912, in direct violation of the terms of an agreement entered into with the daily newspapers of Chicago, and underwritten and guaranteed by the national union. The executive officers of the national union as soon as notice had been received of the strike denounced it as illegal, and ordered the men who had struck immediately to return to work. The executive officers went to Chicago and endeavored to have the striking members return to work but without success. On May 9, 1912, the charter of Stere-

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<sup>61</sup> Proceedings, 1911, p. 95.

<sup>62</sup> Proceedings, 1911, p. 352.



otypers' Union No. 4 was suspended. The matter was brought up at the annual convention, and after long debate was referred to the executive board with power to act. The executive board then by unanimous vote chartered a new union to be known as Stereotypers' Union No. 114 of Chicago, Illinois, to take the place of the one suspended.<sup>63</sup>

The Boot and Shoe Workers in 1907 revoked the charter of their local union in South Framingham, Mass., and entered suit for the funds in the local treasury. The local union had entered upon a strike without holding a meeting or notifying any of the national officers.<sup>64</sup> Likewise some "treers" in a Brockton factory where the "union stamp agreement" was in force went out on the plea of a right to quit as individuals. The firm notified the officers of the national union, and the latter advertised for men to take the places of the strikers and thus protect the agreement. The strikers appealed to the 1907 convention, but their appeal was not allowed because they had not paid their fines.<sup>65</sup> Again in 1909 the places of illegal strikers were filled, although with difficulty, and the strikers were termed traitors and repudiators.<sup>66</sup>

The United Mine Workers do not consider any strike legal or entitled to support unless the rules governing strikes have been complied with.<sup>67</sup> In 1896 the McDonald machine men had a grievance, but instead of observing the strike law they quit work, and then sought an adjustment of the trouble. The Pittsburg convention ordered them back to work, and asked them to present their grievances to the joint committee of ten appointed for the purpose of settling such disputes. The editor of the *Journal* said: "This is discipline, no doubt, but it is of the right kind. It is the discipline that will eventually redound

<sup>63</sup> The *Journal* [Stereotypers and Electrotypers], June, pp. 1, 2, September, p. 1, 1912; Proceedings, 1912, p. 36.

<sup>64</sup> Proceedings, 1907, p. 22.

<sup>65</sup> Ibid., pp. 21, 319.

<sup>66</sup> *Shoe Workers' Journal*, January, 1911, p. 26.

<sup>67</sup> Constitution, 1890, art. v; 1908, art. x.

to the benefit of all of us, if rightly and consistently exercised.'<sup>68</sup>

The rare case of a local union going farther in disciplining members than the national organization is willing to go is illustrated in a decision of the general executive board of the Pattern Makers' League. A branch of the league expelled two members on account of their action during an unsanctioned strike. The executive board did not approve the action of the association in expelling these two members, and ruled that they would not approve the action of any branch in expelling members on account of unsanctioned strikes.<sup>69</sup> This union, however, is highly organized and as a body is opposed to strikes, holding that under their system strikes are unnecessary.<sup>70</sup>

It thus appears that the main forces making for the abolition of the independent or illegal strike have been (1) the growth of a national policy in regard to organization and beneficiary features, (2) the necessity of the enforcement of agreements with employers, and (3) the necessity of discipline to keep the local unions from disruption and destruction through unwise and hasty strikes. The older national unions, such as the Iron Molders, the Bricklayers and Masons, the Cigar Makers, the Typographical Union, and the Locomotive Engineers, have attained a more complete control than the more recently organized unions. Complete control is found in all the railroad brotherhoods.

The grant of strike benefits only in the case of a duly authorized strike acts as a sharp deterrent on local unions contemplating an illegal strike. The suspension or revocation of the charter of a local union means that its members will suffer the loss of death, sickness, and out-of-work benefits offered by the national organization. The expulsion or suspension of the individual members acts also, of course, in the same way, while a fine and the loss of work through the illegal strike may make the financial burden an onerous one.

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<sup>68</sup> United Mine Workers' Journal, January 23, 1896, p. 4.

<sup>69</sup> Pattern Makers' Journal, April, 1890, p. 16.

<sup>70</sup> Proceedings, 1906, p. 8.

No uniform date can be assigned to the beginning of the elimination of independent strikes since the date varies with different unions. The Locomotive Engineers, for instance, centralized strike control by agreements through the national executive with the railroads during the years 1874-1879. The Cigar Makers did not gain full control until after 1885, while the Molders, although passing an expulsion rule in 1882, had independent strikes as late as 1901. The Printers did not provide against the illegal or unauthorized strike until 1904. It may be stated generally, however, that fairly effective control of the unauthorized strike began to develop the early eighties.

The lack of control still found in many unions is to be explained by their system of local autonomy and low dues. The national office without money cannot dictate to the local unions when and where not to strike. The influence of increased dues and centralization is shown by the history of the Boot and Shoe Workers since 1899. This organization, by means of increased dues (the bulk of which go to the national union), the raising of a defense fund, the use of agreements, and the giving of sick benefits, has made the national union paramount.

## CHAPTER VI

### THE MANAGEMENT OF STRIKES

The successful issue of a strike, like the winning of a battle, depends to a large extent on the methods used and the leadership evoked. The evolution of strike management, like that of strike initiation, has proceeded from almost complete autonomy on the part of the local unions to the present large measure of control by the national unions.<sup>1</sup> The usual strike machinery is as follows: (1) the local strike committee, (2) the district committee, and (3) the agent or representative of the national union who conducts the strike and represents the interests of the general union.

(1) The local strike committee chosen by the local union conducts the strike and has full charge of affairs where there is complete local autonomy, as in such unions as the Blast Furnace Workers and Smelters, the Composition Roofers, the Damp and Waterproof Workers, the Print Cutters, the Hod Carriers, the Slate and Tile Roofers, and the Wall Paper Machine Printers and Color Mixers. On the other hand, where control by the national union exists the local committee is chosen under rules laid down by the national union. The Granite Cutters, for instance, in 1880 provided that the local union should elect a strike committee of five members to conduct the strike, report to the national union as to the standing of the dispute, and give an account of receipts and expenditures.<sup>2</sup> Such an election is a common procedure in several unions, but in

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<sup>1</sup> Especially significant, however, as showing the trend of development is the fact that in the Hod Carriers and Building Laborers' Union, which pays no strike benefits, the national president or a special organizer sent by him goes to stay with the local union until the strike ends.

<sup>2</sup> Constitution, 1880, art. xiii.

others the local executive board, made up of the officers of the local union, acts as a strike committee.<sup>3</sup>

(2) In places where there is more than one local union of any national union, a district council or joint local executive board usually exists and takes an active part in the management of strikes. The general rule is that a district committee appointed to consider the initiation of a strike continues as a strike committee if, in spite of their efforts at adjustment, a strike ensues. Occasionally a new committee is elected. The Brotherhood of Carpenters and Joiners, for instance, in 1888 provided that when a district council exists it must adopt rules for the government of strikes and lockouts subject to the approval of the general executive board.<sup>4</sup> Likewise the Cigar Makers' International Union in 1890 voted that in places where more than one local union exists such local unions shall form a "Joint Strike Committee" for the management of all strikes or lockouts, and that in the month of January of each year they must adopt local rules for the management of strikes, these rules to be published in the Cigar Makers' Official Journal.<sup>5</sup> A concrete illustration of the working of a district council is afforded by a strike in 1911 of thirteen local unions of the Brick, Tile, and Terra Cotta Workers' Alliance under the jurisdiction of District Council No. 1, known as the Chicago district. At the conferences preceding the strike each local union was represented by one delegate and negotiations were carried on by this committee and by the district and general officers. When a strike ensued, however, a general meeting of all the local unions was held, and the management of the strike was turned over to the executive board of the council and the national officers.<sup>6</sup>

It is usual in the case of a general strike for the national president to call upon each local union involved to select a representative to meet with the members of the general

<sup>3</sup> Tobacco Workers, Constitution, 1905, sec. 77.

<sup>4</sup> Constitution, 1888, art. xx, sec. 12.

<sup>5</sup> Constitution, 1890, art. xxv, secs. 1, 4.

<sup>6</sup> Brick, Tile and Terra Cotta Workers' Journal, June, 1911, p. 4.

executive board to form a general arbitration committee, with power delegated by the executive board to take full charge of the strike.

(3) An increasing number of unions have adopted in recent years the policy of sending a representative or deputy to the place where any dispute or difficulty arises. The evolution of this practice has been outlined in a previous chapter and need not detain us here. The agent sent in the first place usually remains to manage the strike if all efforts for adjustment fail; or if there has been no opportunity to send a representative before the strike takes place, one is sent as soon as possible thereafter. Some sixty unions pursue this policy, which reflects the general feeling among trade unionists that a local union on strike is not capable of managing its own affairs. The members of the national union outside of the local union on strike are not satisfied unless there is a general officer or agent on the field of conflict to conduct the strike and to give an itemized report of expenditures and full details as to progress.

The recognized strike leader in many unions is the national president, who has authority to command the entire resources of the national union. This is especially true of the railroad brotherhoods such as the Locomotive Engineers, the Locomotive Firemen, the Railway Conductors, the Railroad Trainmen, the Car Workers, the Railway Clerks, and the Railroad Telegraphers. Where more than one strike at a time is being waged the vice-presidents are called upon to take the place of the president. The representative may be, however, any of the officers or members of the national union. In 1904 the Amalgamated Woodworkers' Union had two salaried men who were directing strikes, but whose expenses were charged to "organization and travel."<sup>7</sup>

The duties of the agent or representative in the management of strikes were succinctly stated by the Cigar Makers in the constitution of 1886: "To attend all meetings of

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<sup>7</sup> Proceedings, 1904, p. 22.

the committee having the conducting of the strike or the lock-out in charge, and to report weekly or oftener as circumstances warrant, or if required to do so by the International President, upon all questions in reference to the difficulty, and at the same time forward a copy thereof to each member of the Executive Board. He shall have free access to all meetings of the committee above specified, and have power when directed to examine the books and papers of the local unions."<sup>8</sup> This phrasing has been adopted by several other unions. The general agent is liable to discipline for neglect of duty. The general executive board of the Bakery and Confectionery Workers in 1911 suspended an agent on account of flagrant neglect of duty in handling a strike.<sup>9</sup>

The tendency is toward an increased use of the general representative, even where a large degree of local autonomy prevails. The Painters plan to send a general officer to the scene of a strike, although their local unions generally finance their own strikes.<sup>10</sup> The Barbers have always allowed their local unions autonomy in the matter of strikes, but in a strike at Louisville, Ky., in 1911, an international representative was sent to the scene of conflict to safeguard the interests of the national union. Even where no representative is sent from outside, the national union in some cases has its officers appoint two or more members of the local strike committee from among the members of the local unions on strike, to act on behalf of the national union.

Headquarters are usually established, where the officers in charge of the strike may be found and where the strikers can gather, and in some cases they are kept open day and night.<sup>11</sup> Meetings are held daily in most cases and speakers address these meetings to encourage the men. Members

<sup>8</sup> Constitution, 1886, art. vi, sec. 21.

<sup>9</sup> Bakers' Journal, April 29, 1911, p. 1; May 6, 1911, p. 1.

<sup>10</sup> A general officer of this union attended a meeting of a strike committee in Pittsburgh in 1911 and advised how best to conduct the strike (Painter and Decorator, May, 1911, p. 295).

<sup>11</sup> The Burlington Strike, p. 205. Compiled by C. H. Salmons, an official account, Aurora, Ill. 1889.

on strike are required to report daily at roll call in some unions, while in others attendance is required twice a day. Failure to report ordinarily entails a forfeiture of strike pay, although some unions excuse non-attendance provided a good reason is given.<sup>12</sup> In some unions members on strike are not allowed to leave the locality without notifying the local union, or without the consent of two thirds of the members involved. Violations are punished or penalized in the International Brotherhood of Blacksmiths by a fine of ten dollars.<sup>13</sup> Members are also required to do whatever work may be assigned them in connection with the strike, and in case of refusal without a reasonable excuse they forfeit their strike pay or are expelled.

The officers of the local union or the strike committee must report the progress of the strike to the national officers. To begin with, as soon as the strike takes place notice must be sent to general headquarters giving the number of men involved, describing the condition of affairs, and in some cases transmitting a list of the strikers.<sup>14</sup> A blank form is usually sent from headquarters for the local officials to fill out.<sup>15</sup> The Stone Cutters require that

<sup>12</sup> Boiler Makers' Journal, August, 1902, p. 321; Journeyman Barber, August, 1911, p. 225; Constitution, Granite Cutters' Association, 1880, art. xiii.

<sup>13</sup> Local Constitution, 1909, art. xii, sec. 7.

<sup>14</sup> Bakers' Journal, May 13, 1911, p. 3.

<sup>15</sup> The following is a typical form:

Affiliated with the American Federation of Labor  
INTERNATIONAL ASSOCIATION OF MACHINISTS  
Office of Grand Lodge—400-407 McGill Building  
Report of Strikes and Lockouts

Secretaries will please fill out this blank form and send to International President when a strike or lockout occurs.

.....190

City                      Date

Lodge No. ....

Date of strike .....190 . Time of day .....

Name of firm .....

Cause of strike .....

Total number of machinists on strike .....

Number of union machinists .....Number of apprentices .....



a strike report shall be made to the general office daily,<sup>16</sup> but only a weekly report is required by the greater number of national unions. Failure to report involves the forfeiture of strike pay in most unions. Strike aid was discontinued by the Cigar Makers<sup>17</sup> in 1873 and by the Stone Cutters<sup>18</sup> in 1903 to local unions on strike which had not sent in their strike reports.

One of the first steps taken after the inauguration of a strike is to send out a notice of the strike to the various local unions. Such a notice is a warning to all to keep away from the seat of trouble so that the employers will not be able to get workmen. The Philadelphia Typographical Society in 1803 published an advertisement and sent out notices of such a nature to different societies in the United States, as did the Franklin Typographical Society of New York in 1809. The latter in 1810 urged its members to make every effort to prevent the defeat of their striking brethren in Philadelphia by the importation of printers from New York. After the establishment of the National Typographical Union in 1850 its main purpose for thirty

Number of machinists who have been members for three months. . . . .  
 Number of non-union machinists on strike. . . . . Number  
 of machinists remaining at work. . . . . Are any of the other  
 metal trades involved? . . . . .  
 Has a strike ever taken place before; if so, with what result? . . . . .  
 . . . . .  
 What class of work is firm engaged in? . . . . .  
 What has been done to avoid the strike? . . . . .

#### REMARKS

Give full particulars not mentioned above, wages paid, hours worked,  
 etc. . . . .  
 . . . . .  
 (SEAL) . . . . . President.  
 Approved: . . . . . Int'l Pres.  
 . . . . . Rec. Secretary.  
 Pay rolls sent: . . . . .

Date.

NO BENEFITS PAID FOR THE FIRST WEEK OF STRIKE.

<sup>16</sup> Constitution, 1892, art. xi, sec. 7; By-Laws, 1909.

<sup>17</sup> Proceedings, 1873, p. 16.

<sup>18</sup> Stone Cutters' Journal, January, 1903, p. 7.

years was "to build up among the local unions such a community of feeling as to make it as difficult as possible for employers to secure workmen in time of strike."<sup>19</sup> In 1864 the national secretary of the Cigar Makers was instructed to notify all local unions of any difficulty.<sup>20</sup> The officers of the Bricklayers and Masons in 1869 issued warnings to members to keep away from the scene of trouble.<sup>21</sup> The Flint Glass Workers in 1881 instructed their secretary in case of sanctioned strikes to send out a statement of the facts to all local unions, "warning all true men not to accept employment in such factory or factories."<sup>22</sup> The same language is used by the Operative Potters<sup>23</sup> and the Tin Plate Workers.<sup>24</sup> The Iron Molders directed their president in 1882, and later their secretary, to keep the organization informed as to strikes or lock-outs either by circular or through the Journal.<sup>25</sup>

Most unions now issue notices of strikes through their secretaries or through their journals. A typical notice is the following by the Machinists, printed in large-face type in their official organ: "Keep away from all points on the Pacific Coast. This means every city, there are no exceptions, and it means you, so don't go out there and pretend that you did not know they were on strike for an eight-hour day."<sup>26</sup> That such a notice is not entirely uncalled for is seen by the experience of the Boiler Workers in two strikes in 1892, one in Chicago and the other in Boston. Both local unions had to pay out of their strike benefits the return fare of those members, denounced as "pirates" and "land cormorants," who came on free tickets furnished by the employers and then claimed that they would not have come if they had known a strike was in progress.<sup>27</sup>

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<sup>19</sup> Barnett, pp. 16, 18, 29.

<sup>20</sup> Constitution, 1864, art. vii, sec. 2.

<sup>21</sup> Proceedings, 1869, p. 34.

<sup>22</sup> Constitution, 1881, art. ix, sec. 2.

<sup>23</sup> Constitution, 1910, sec. 66.

<sup>24</sup> Constitution, 1908, art. vii, sec. 3.

<sup>25</sup> Constitution, 1882, art. vi, sec. 2.

<sup>26</sup> Machinists' Monthly Journal, January, 1911, p. 15.

<sup>27</sup> Proceedings, 1893, p. 41.

Another method of limiting the number of men who must be turned back is to refuse temporarily all travelling or transfer cards. The Cigar Makers in 1886 passed a rule giving local unions on strike power to reject all travelling cards, provided the strike was approved by the national union.<sup>28</sup> This rule was amended in 1896 by making an exception in the case of sick members. The Freight Handlers<sup>29</sup> and the Stove Mounters<sup>30</sup> have a similar rule. The Steam Fitters in 1897 also provided against transfer at such times.<sup>31</sup> A local union of the Bakery and Confectionery Workers must have the approval of the general executive board before it may refuse to admit members from the national union on travelling cards during a strike or lockout in its district.<sup>32</sup> The Bookbinders, when a strike involves more than one third of the membership, allow the local union to reject all travelling cards,<sup>33</sup> while under the same conditions a local union of the Theatrical Stage Employes may reject such cards for three months, or, with the consent of the national president, for six months.<sup>34</sup> The Cement Workers, the Horseshoers, the Operative Plasterers, and the Painters also provide against such transfers. Members who have had a bona fide residence of one year or more within the jurisdiction of a local union of the Operative Plasterers prior to a strike or lockout have the privilege of returning. One of the reasons for these restrictions on transfers is that if some employers hold out while others accede to the demands, it becomes difficult to get employment for local members.

The need of conserving all the strength of a national union during a period of difficulty has promoted the feeling that any member leaving the organization at such a time is a traitor to the cause. The Painters, for instance, allow a member to sever his connection with the brotherhood if

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<sup>28</sup> Constitution, 1886, art. vi, sec. 19.

<sup>29</sup> Constitution, 1910, art. xiv, sec. 2.

<sup>30</sup> Constitution, 1910, art. ix, sec. 4.

<sup>31</sup> Proceedings, 1897, p. 7.

<sup>32</sup> Constitution, 1911, art. xxii, sec. 6.

<sup>33</sup> Constitution, 1910, art. x, sec. 14.

<sup>34</sup> Constitution, 1911, art. vi, sec. 8.

he pays up all dues and other arrearages and does not continue to work as a journeyman, but it does not accept any resignation during a strike or a lockout.<sup>35</sup> In the same manner, the return of a charter by any local union before an anticipated strike or during a strike is regarded as reprehensible. The Chain Makers provide that any lodge so acting shall be fined not less than twenty-five dollars. The return of a charter by any lodge is to be investigated, and the decision of the executive council after such investigation stands until the next convention. Members of lodges returning their charters may remain "isolated members" provided they comply with the rules of the national union.<sup>36</sup> Some unions issue no charters and initiate no new members during strikes, while others suspend the usual restrictions on the admission of members at such a time.

The feeling against anyone taking the place of a striker is shown by the use of such opprobrious epithets as "scab" and "rat." The epithet "scab" was used by a witness in the trial of the Philadelphia Cordwainers in 1806 in describing a "turn-out" in 1799, and this is probably the first recorded use of the term.<sup>37</sup> The oath of the Cordwainers required them to obtain the wage scale and did not allow them to work beside those who did not. A witness at the trial of the Pittsburg Cordwainers in 1815 said: "The means we took to get our wages were a turn-out; Scabbing a shop is leaving it, and those who worked there after that were scabs."<sup>38</sup> Another epithet for one working during a strike, used in 1827, was "dung."<sup>39</sup> The term "rat" used by the union printers in the same connection appeared first in this country in 1816 and was in all probability brought from England.<sup>40</sup> The Buffalo Tailors in 1824 penalized their members acting as strike breakers by publishing their names so that they could not get a job

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<sup>35</sup> Constitution, 1910, sec. 48.

<sup>36</sup> Proceedings, 1904, p. 11.

<sup>37</sup> Commons and Gilmore, vol. iii, p. 75.

<sup>38</sup> Ibid., vol. iv, p. 26.

<sup>39</sup> Ibid., p. 139.

<sup>40</sup> Barnett, p. 23.

with union tailors. For the same offence the Philadelphia Journeymen Tailors in 1827 imposed a fine of five dollars.<sup>41</sup> In 1854 the Journeymen Stone Cutters' Association adopted a rule that any member working during a strike or contrary to rules was to be notified that unless he desisted he would be "scabbed," and that if he still persisted notice would be sent to all other Stone Cutters' associations throughout the United States "requesting them to discountenance him as faithless to his pledge and an enemy to the trade."<sup>42</sup> The Baltimore Cigar Makers sent in 1856 to the New York and Philadelphia unions the names of a number of journeymen who had refused to obey a strike order, evidently with the idea of keeping those named from working in union shops.<sup>43</sup> A member of the Iron Molders was expelled in 1866 for refusing to strike, and a rule was passed in 1876 to expel all members who worked while a strike was on.<sup>44</sup>

The necessity of vigorous action is seen in an experience of the Granite Cutters' Union. This organization in 1883 declared a strike off because union men coming to the place of strike refused to deposit their cards in the local branch and went to work where the strike was on, saying: "When we leave here nobody will know who we are, and we can go to work in any Union Yard."<sup>45</sup> This was done in spite of the fact that the Granite Cutters' Association had passed a rule in 1880 that "all members or non-members opposing members in a legal dispute shall be considered as enemies of the common cause," to be fined not less than \$10 or more than \$25 except in extreme cases.<sup>46</sup> Some unions provide for either fine or expulsion, and expel those members who continue to work during a strike or who act as strike breakers. Some of these unions allow an expelled member to be reinstated, but only on the payment of a

<sup>41</sup> Commons and Gilmore, vol. iv, p. 218.

<sup>42</sup> Constitution, 1854, art. ix.

<sup>43</sup> F. T. Stockton, "The Closed Shop in American Trade Unions," in Johns Hopkins University Studies, ser. xxix, no. 3, p. 28.

<sup>44</sup> International Journal [Iron Molders], November, 1866, p. 249; Constitution, 1876, art. xii, sec. 2.

<sup>45</sup> Granite Cutters' Journal, May, 1883, p. 4.

<sup>46</sup> Constitution, 1880, art. xiii.

fine, which in the Brotherhood of Boiler Makers and Iron Shipbuilders includes all fines, as well as dues, assessments, reinstatement stamps and, if the lapse is over twelve months, an additional \$3.<sup>47</sup> Fines varying from \$5 to \$100 are imposed by the Actors, the Broom Makers, the Carpenters and Joiners, the Iron Molders, the Paper Makers, the Paving Cutters, the Sheet Metal Workers, the Steam Engineers, the Stove Mounters, the Tile Layers, and the Wood Carvers. In the Pattern Makers and the Teamsters suspension is frequently used, carrying with it the forfeiture of all rights, privileges, and benefits from date of commencement of offense. In the Pattern Makers the penalty may be fine, suspension, or expulsion.<sup>48</sup> Especially indicative of the feeling against strike breakers is a resolution adopted by the Locomotive Engineers in 1904 to the effect that the election by a division as a delegate of any one who, after September, 1904, took the place of another in a strike should be considered an offense, and, upon conviction, such division should have its charter suspended until the meeting of the next convention.<sup>49</sup>

In many unions efforts are made to prevent the employer's having work done in other shops. Members continuing to work in such places are subject to fine or expulsion or both. Mandatory rules directing the national officers to stop such work are found, for example, in the Brushmakers, the Coopers, the Granite Cutters, the Saw Smiths, the Machinists, and the Photo-Engravers. In 1889 the Locomotive Engineers adopted a resolution directing their members in case of a legal strike, if employed on a connecting or adjacent road, to refuse to handle the cars of the railroad against which there was a grievance until the dispute should be amicably settled. The railroads took the matter into the courts, and the rule was declared unlawful by a circuit court in 1895.

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<sup>47</sup> Constitution, 1910, pp. 47, 49.

<sup>48</sup> Laws, 1910, art. 29, sec. 4.

<sup>49</sup> Constitution, 1910, sec. 25, p. 12.

This judgment having been affirmed by the United States Supreme Court in 1897, the rule was repealed.<sup>50</sup>

In 1902 the same question came up, and the policy of diverting traffic from roads having trouble by using "all means secretly and quietly and individually," thus avoiding any clash with the law, was adopted: "Any brother being discharged from a road not on a strike, for using his influence to divert traffic from the road on a strike shall be supported by the Brotherhood and be paid \$40.00 per month, as per By-Laws, for a period of six months."<sup>51</sup> The policy of the railroad brotherhoods is to refuse to allow their members to take the place of a striker or to do any of the work of a striker in any strike inaugurated by any recognized labor organization. The Locomotive Engineers are instructed not to do any work which they would not do if there were no strike.<sup>52</sup> If the machinists are on strike, the engineers have no right to do machinists' work.

Although strenuous efforts are made to keep the employer from getting his work done elsewhere, other employers in the same place who agree to pay the wage scale and abide by the union rules may ordinarily continue to run their shops provided they confine themselves to their own work and do not help the firm whose men are out. In the Bookbinders, the Cigar Makers, and the Plate Printers members must have the consent of the local union to continue at work. The declared policy of the Bakery and Confectionery Workers is to restrict a strike to as few shops as possible so that the members at work may assist financially those who are on strike.<sup>53</sup>

The importance of a vigorous policy against strike breaking and delinquent members is apparent; but it is also clear that in a bitter and protracted struggle the return of former members weakens by just so much the forces in opposition. It is at this point that the national

<sup>50</sup> Locomotive Engineers' Monthly Journal, August, 1895, p. 678; August, 1897, p. 819.

<sup>51</sup> Proceedings, 1902, p. 93.

<sup>52</sup> Ibid., p. 106.

<sup>53</sup> Constitution, 1911, art. xviii, sec. 10.

union frequently finds it necessary to override the local union. A local union of the Bricklayers and Masons at the 1910 convention of that union protested against the action of the general executive board in reissuing a travelling card to a delinquent member. The answer of the board was that it had not permitted former misconduct or unpaid fines to interfere with the management of the strike, and it protested strongly against any action that would in any way bind or restrict the board in such a case. "This freedom from constitutional law," it said, "in so far as the removal of fines is concerned, free initiations and the issuing of travelling cards besides other inducements, we consider absolutely necessary." This policy was sustained by the convention.<sup>54</sup>

In the case of non-unionists, special action is taken at times. The American Flint Glass Workers' Union in 1892 gave their national officers, acting with the executive officer of the local union, full authority to deal with such cases.<sup>55</sup> In 1910, during a general strike in Philadelphia, President Daly of the Metal Polishers' Union, after consultation with several members of the executive board, in order to secure the greatest possible unity of action offered all non-unionists who struck with the Metal Polishers and stayed on strike until the strike was settled free membership cards in lieu of strike pay.<sup>56</sup> Another method used at times is the proclaiming of a general amnesty for a set period to all "scabs" or "rats."

No stone is left unturned to prevent the employers from obtaining workmen in place of the strikers and thus breaking the force of the strike. At the beginning of the strike of the locomotive engineers and firemen on the Burlington Railroad in 1888, Grand Master Sargent said: "There will be no intimidation, but we shall claim the right to buy any locomotive engineer that we please. We may decide to go to a locomotive engineer and hire him

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<sup>54</sup> Proceedings, 1910, p. 151.

<sup>55</sup> Proceedings, 1892, pp. 58, 197.

<sup>56</sup> Proceedings, 1911, p. 84.



ourselves; no one can question us that privilege."<sup>57</sup> The management of the strike is thus described: "Every strange face that appeared on the scene secured their [the pickets'] attention. If he was inclined to work for the Burlington, his manliness was appealed to, and if that appeal did not succeed he was hired, if possible, and most of them who came first, came under a misconception of the situation and could be easily persuaded to go away and leave the battle to be fought by the interested parties. Many of these were given something for expenses, while others were void of principle and put a selling price on themselves, ranging from \$10.00 to \$50.00. Hundreds were in various ways persuaded to leave. The picture was filled with all phases of humanity, from the appearance of high respectability to the level of the gutter."<sup>58</sup>

The usual plan in many unions during a strike is to set pickets to watch the shops and to endeavor to prevent men from going to work. The instructions issued by the Bakery and Confectionery Workers require that all pickets shall patrol and watch closely all strike-bound shops and persuade any one intending to take a striker's place not to do so, and that they shall report at once to the strike committee or strike meeting any favorable or unfavorable incidents.<sup>59</sup> The Carpenters and Joiners also recommend that pickets be sent to stand at each railroad station or other place of entry into the city and to guard each job or shop where the men have quit.<sup>60</sup> This is an old practice. A witness at the trial of the Philadelphia Cordwainers in 1806 said that in a turn-out in 1799 there was a "Tramping Committee" to "watch the 'Jers' that they did not scab it." This committee was changed every day, and members were obliged to serve on it or pay a fine.<sup>61</sup> Picketing is also spoken of in connection with the Journeymen Tailors' strikes in 1827 and 1836.<sup>62</sup> In 1865 two of the members

<sup>57</sup> Chicago Tribune, February 26, 1888; Salmons, p. 173.

<sup>58</sup> Salmons, p. 205.

<sup>59</sup> Bakers' Journal, May 13, 1911, p. 3.

<sup>60</sup> Strike Instructions, indorsed by the G. E. B., March 29, 1892.

<sup>61</sup> Commons and Gilmore, vol. iii, p. 75.

<sup>62</sup> Ibid., vol. iv, pp. 109, 316.

in a local union of the Cigar Makers were sued for enticing workmen away from a struck shop.<sup>63</sup>

A vigorous boycott is also frequently carried on. In some instances, when the goods of the employer against whom there is a strike are of common consumption, members go from house to house advising against the use of the article; a canvass is made of the stores handling the unfair goods, and meetings of different societies and local unions of other crafts are visited. In some instances advertising matter is furnished the local union by the national union free of charge.<sup>64</sup> At the same time news of the strike is published, and the name of the firm against which there is a strike is printed in the "Unfair List" or "We Don't Patronize Column" of the trade-union journals.

Another means used in forcing a successful issue to a strike is the extension of the strike to other contracts, shops, or mills of the employer or even to fair employers. The Granite Cutters authorize the national executive council to extend a strike to take in all of the work of an employer.<sup>65</sup> The national officers of the United Mine Workers may order a suspension of work in any other district or districts than the one affected provided that such action is necessary to conserve the general interests.<sup>66</sup> In the International Brotherhood of Paper Makers, however, if a strike is not settled within six days, the national officers are directed to shut down the other mills of the company against which there is a strike.<sup>67</sup> In the Plumbers<sup>68</sup> and the Lathers<sup>69</sup> a strike in any particular shop means that the employer has become unfair throughout the entire jurisdiction of the union, and no member can work for him, directly or indirectly, until the strike has been settled. Any local union of the Plumbers permitting its members to

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<sup>63</sup> Proceedings, 1865, p. 48.

<sup>64</sup> The Stove Mounters' International Union spent \$517.45 for printed matter during one strike in 1910 (Proceedings, 1910, pp. 21-23).

<sup>65</sup> Constitution, 1905, sec. 112.

<sup>66</sup> Proceedings, 1911, p. 119.

<sup>67</sup> Constitution, 1912, sec. 54.

<sup>68</sup> Constitution, 1910, sec. 170.

<sup>69</sup> Constitution, 1911, art. x, sec. 12.

work for such an employer is liable to suspension.<sup>70</sup> In the Tin Plate Workers a legalized strike in any district requires the members to stop work at the same time in any mill or works in the district belonging to the firm or corporation against which the strike has been called, and the national president is authorized after the strike has continued for seven days to extend the strike to all the works of said corporation or firm.<sup>71</sup>

Commissary departments have been inaugurated at times to make the expense of a strike as low as possible. The Cigar Makers during a prolonged strike in New York City in 1877 spent \$48,476.39. The reason given as to why the expenses were not more was that the relief committee supplied the strikers with bread, beef, and the other necessities of life purchased at wholesale prices. A thousand loaves of bread and 2500 pounds of meat were distributed each day.<sup>72</sup> A convention of the Coopers in 1904, because of the large number of strikes on hand and because of lack of funds, instructed their local executive boards to establish commissary departments for giving relief to strikers actually in need.<sup>73</sup>

Several national unions have adopted plans to compete with the firms or corporations against which a strike has been called. The general executive board of the Street and Electric Railway Employes purchased in 1905 three automobiles to carry passengers during a strike at Saginaw, Mich. As a result of this experiment a special committee at the convention of the same year recommended that the automobiles already purchased should be kept and an appropriation of \$20,000 made from the defense fund for the purchase of additional ones. One of the speakers affirmed his belief that automobiles would be "a material defense in second class and smaller cities and towns." The report was adopted, and rules were passed later providing for the exclusive control of such automobiles by

<sup>70</sup> Constitution, 1910, sec. 170; 1911, art. x, sec. 12.

<sup>71</sup> Constitution, 1908, art. viii, sec. 2.

<sup>72</sup> Proceedings, 1893, p. 59.

<sup>73</sup> Proceedings, 1904, p. 507.

the general executive board. Local divisions in order to secure their use must be in good standing, and all profits accruing from their operation were to be placed to the credit of the defense fund.<sup>74</sup> In 1908 the Photo-Engravers likewise gave their executive council power to purchase one or more "Portable Photo-Engraving" plants to be owned by the national union and to be used as a means of defense in case of strikes or lockouts.<sup>75</sup>

In a protracted strike in Los Angeles the Brewery Workmen, in order that union beer might be on sale, established a beer agency. The experience of the union had shown that unless union beer could be had, "all their principles and all requests will not keep them [working-men] from drinking scab beer." The national executive board was authorized at the 1910 convention to continue this policy and to invest national funds so that the union would be in a position to furnish union beer in localities where strikes or lockouts were on.<sup>76</sup> The strike committee was obliged to import the beer into Los Angeles by the car-load from a long distance, as all breweries connected with the United States Brewers' Association are pledged to remain neutral in case of disputes and under no condition to furnish any beer for the district in which a strike is on. The striking metal polishers of Philadelphia formed in 1911 the Penn Art Metal Company by investing a thousand dollars, and used the profits to pay strike benefits.<sup>77</sup> Similarly, the national officers of the Bricklayers and Masons during strikes at Alton, Ill., and Aberdeen, S. D., sent agents who secured contracts for the erection of buildings and thus provided work for the members. The general executive board placed funds in local banks at both places to the credit of the union agents.

<sup>74</sup> Motorman and Conductor, July, 1905, p. 11; Proceedings, 1905, pp. 51-53.

<sup>75</sup> Proceedings, 1908, pp. 19-23.

<sup>76</sup> Proceedings, 1910, pp. 167, 165, 170, 171, 178.

Invested in Beer Agency . . . . .	\$ 7,380.00
Invested in coöperage . . . . .	10,473.91
Security deposited with breweries . . . . .	4,480.00
Advanced to Los Angeles Beer Agency . . . . .	2,000.00

<sup>77</sup> Proceedings, 1911, p. 173.

## CHAPTER VII

### STRIKE BENEFITS

The chimneys of Manchester, it has been said, were the real cause of the downfall of Napoleon because they gave England financial independence. Nations must have long purses as well as heavy artillery in order to win battles. The same is true in regard to industrial disputes, for the worker must live while the strike is going on. Nearly all of the older and stronger unions have provided in various forms "the sinews of war" in the shape of strike benefits. The collection and payment of these benefits have gradually been put into the hands of the national officers. This is a large, if not the largest, factor in the increasing control of strikes by the national unions.

The early trade unions paid benefits to some extent, for the Philadelphia Cordwainers in 1806 supplemented by benefits what they received by cobbling and by doing market work.<sup>1</sup> The New York Society of Printers gave relief in 1809, six dollars being awarded two members "who had been thrown out of employment in consequence of refusing to work for less than the established prices."<sup>2</sup> The Pittsburg Cordwainers in 1815 paid no fixed allowance; but poor members distressed for market money were allowed to take three or four dollars out of the box.<sup>3</sup> This early trade-union movement reached its height just before the panic of 1837. The General Trades Union of New York and vicinity during 1834 to 1836 supported strikes of various trades—bakers, hatters, rope-makers, sailmakers, cabinet-makers, stone-cutters, cordwainers, weavers, curriers, leather dressers, tailors—in and about New York, besides furnishing

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<sup>1</sup> Commons and Gilmore, vol. iii, p. 33.

<sup>2</sup> Barnett, p. 267.

<sup>3</sup> Commons and Gilmore, vol. iv, p. 34.

aid to strikes in Boston, Philadelphia, and other cities. "The different Trades are combined together in what is called a 'Trade Union,' and each in its turn is supported by the others in striking for higher wages,"<sup>4</sup> reported *The Journal of Commerce*. The Bookbinders in 1836 were likewise supported by a number of trade unions.<sup>5</sup>

The present trade-union movement began about 1850. At a convention of the journeymen printers of the United States held in New York in that year it was provided that each union was to have the right in time of strike to borrow from sister unions to the amount of one dollar for each member. This convention at its third meeting in 1852 resolved itself into the First Session of the National Typographical Union. By 1860 the members of printers' unions had come to regard it as the duty of the union to give relief in case of strike,<sup>6</sup> but until the establishment in 1885 of the national strike fund there was no penalty attached to the breaking of national strike rules.<sup>7</sup>

The evolution of strike benefits may be brought out best by a study of their development in the Iron Molders, the Cigar Makers, and the Bricklayers and Masons, three of the oldest unions. The Iron Molders' International Union was organized in 1859; at first it was simply a federation and provided no definite strike benefits, but authorized the president to levy assessments for mutual assistance in time of trouble. A strike in 1859 was financed by an assessment imposed by the local union upon the members still at work and by contributions from other local unions made through the national union. The convention of 1860 provided for revenue by an annual tax of five cents on each member.<sup>8</sup> The convention of 1861 gave a local union on strike \$350. Numerous small strikes were reported at this convention. A pro rata assessment not

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<sup>4</sup> Commons and Gilmore, vol. v, p. 205.

<sup>5</sup> *Ibid.*, p. 327.

<sup>6</sup> Barnett, p. 268.

<sup>7</sup> *Ibid.*, p. 327. See chapter in this study on *The Development of Control*.

<sup>8</sup> *International Journal [Iron Molders]*, February, 1874, p. 258; March, 1874, p. 289; March 31, 1881, p. 4.

to exceed two per cent on the wages earned was levied by the convention of 1863. One strike in that year cost the national union \$12,642.38. Another strike in this same year, growing out of the apprentice question, cost about \$30,000, and continued over a year.<sup>9</sup> President Sylvis reported to the convention of 1866 that the cost to the organization and the local unions for strikes and lockouts for the six years ending January 1, 1866, was \$1,161,582.26, or on an average per year of \$24 per member. The usual method of raising the benefits was the issuing of a circular by the national president to all the local unions calling upon the members to pay a tax equal to five per cent upon their earnings. It was left with each local union to vote to enforce this provision.<sup>10</sup> In 1866 the recommendation was made that as trouble was anticipated from the action of an employers' convention, every local union should so arrange its finances that it could remit promptly all strike assessments to the central office. The convention of 1867 authorized the national president to lay an assessment; but delay in remittances often led to such payments being made in union script instead of in cash. A large number of strikes in 1869 resulted in a considerable debt, which was only gradually paid off.<sup>11</sup> Delay in payment by local unions continued, making strike benefits uncertain. In 1882 a strike reserve fund was established.

The Cigar Makers, organized in 1864, did not provide any means for financing strikes, although the first constitution stated that a local union on strike "shall receive the support of each and every union."<sup>12</sup> The plan of voluntary contributions was adopted by the officers in the absence of all rules upon the subject.<sup>13</sup> Circulars were sent in each case, and local unions responded with aid. An assessment

<sup>9</sup> "This strike developed a class of men who would not leave the City, but remained on strike and received strike money when they could have earned more outside of Philadelphia. Timid to try fortunes elsewhere" (*Iron Molders' Journal*, May 31, 1881, p. 4).

<sup>10</sup> *International Journal [Iron Molders]*, October, 1866, p. 250.

<sup>11</sup> *Iron Molders' Journal*, April 30, 1879, p. 2.

<sup>12</sup> Constitution, 1864, art. vi, sec. 1.

<sup>13</sup> Proceedings, 1866, p. 69.

was laid by the convention of 1867 in the form of a tax of twenty-five cents per month per member for strike purposes, the money to remain with the local union subject to the call of the national union.<sup>14</sup> Two protracted strikes in 1869 and 1870 necessitated heavy extra assessments. In place of cash, due bills were issued to members. In 1869 the membership was 5800; in 1873 it had decreased to 3771. In 1879 a permanent strike fund was adopted in place of assessments.

The experience of the Bricklayers and Masons, organized in 1865, has been much the same as that of the Iron Molders and the Cigar Makers, although its first president recommended the establishment of a strike fund.<sup>15</sup> In 1868 a circular was issued and an assessment laid on the local unions by President Frost according to an estimate of what was necessary for the strike.<sup>16</sup> Another tax during the same year of twelve and a half cents per member was ordered sent directly to the local union on strike by the national president.<sup>17</sup> A permanent relief fund for strikes was urged by President Gaul in 1869, the need of such a plan having been seen by President Frost in the previous year. Gaul declared that the failure of the strike in that year was "owing to the delay necessarily arising from our present plan of collecting assessments." Assessments continued to be laid for strike benefits, although in 1875 President Carr said that a strike fund was needed "on account of the tendencies to utter neglect of individual unions in responding to the requisition of the National Union for relief assessments."<sup>18</sup> The convention of 1882 considered the raising of a strike fund, but deemed it impracticable. Strike assessments continued, and although the convention of 1887 passed a rule requiring subordinate

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<sup>14</sup> Proceedings, 1867, p. 151.

<sup>15</sup> Proceedings, 1882, p. 17.

<sup>16</sup> Proceedings, 1868, p. 14.

<sup>17</sup> Proceedings, 1868, p. 18. The constitution required during a strike a tax of not less than 10 and not exceeding 50 cents on each member per day, sickness excepted, and all money thus raised was to be sent to the general treasury (Constitution, 1867, art. xii, sec. 4).

<sup>18</sup> Proceedings, 1875, p. 8.



unions to levy a per capita tax of one dollar in advance, it was not until 1891 that a regular strike fund was established.

The Knights of St. Crispin, a national organization of shoemakers, the largest of the many national unions that flourished during the ten years after the Civil War, had a similar experience. Grievance funds were raised by annual contributions of each member to a "contingent fund" held in the treasuries of the local lodges, and by special assessments. Requisition on the "special contingent fund" by numerous strikes led to the downfall of the organization.<sup>19</sup>

The experience of these unions demonstrated that it was necessary to have funds on hand with which to pay strike benefits instead of being obliged to wait for the payment of strike assessments. Such funds should be accumulated and held in reserve for times of necessity, thereby distributing the strain of payment over a longer period of time. The power of sustaining members is the key to success in a strike, and this can be secured only when there is an accumulated fund to draw on. Benefits paid after a strike has ended are not of much influence in winning that particular strike.

The Cigar Makers from 1873 to 1879 could not pay the strike benefits provided for by their rules; strikes were lost, members withdrew, and wages were reduced. A reserve fund was inaugurated in 1879 by providing that every local union should collect from every member in standing 15 cents per month and retain this as a strike fund. For every new member admitted 25 cents was to be added to the fund. In 1881 the amount was raised to 20 cents per month and 50 cents for every new member. The funds were to remain in the custody of the local union subject to the order of the national officers, and were not to be used except for strike purposes. When the amount fell below \$1.50 per member, an assessment was to be made.<sup>20</sup>

<sup>19</sup> D. C. Leacohier, "The Knights of St. Crispin," in *Bulletin of the University of Wisconsin*, no. 365, pp. 32-35.

<sup>20</sup> Constitution, 1879, art. xiii, sec. 6; 1881, art. vi, sec. 12. Any local union failing to remit funds within five days when so directed by the executive board was to be suspended.

Later the reserve fund was increased to \$10 per member. An editorial in the official organ concerning this fund said: "We claim that the accumulation of a large fund, to which the adopted laws are but a commencement, will have the influence of decreasing strikes and in lessening failures. The employers of labor generally attack those organizations which are weak and without funds and thereby unable to hold out long enough to injure their business."<sup>21</sup>

For several years prior to the inauguration of a strike fund, writers in the official organ of the Iron Molders urged the accumulation of a defense fund to meet the exigencies of protracted contests. One writer said that organization was necessary, but that a full treasury was even more so, and that without a reserve fund defeat was sure. Another writer declared that all benefits should be paid promptly, and that two or three months should not be allowed to elapse before strikers received their benefits.<sup>22</sup> President Fitzpatrick recommended in his report to the convention of 1882 such a fund, and a tax of one dollar per member was laid. Power was also granted to the executive board to levy assessments to replenish the fund in case of emergency.<sup>23</sup> In 1886 the assessment was limited to \$1 per member per quarter; but this limitation was revoked in 1888.<sup>24</sup> The finances of the organization were put on a stronger basis in 1890 by the inauguration of a tax of 40 cents a month on every member for the use of the national union and by having fifty-eight per cent of this 40 cents, or 23 cents, go into the strike fund. In 1895 the assessment was changed to 10 cents per week, with fifty-eight per cent to go to the strike fund. In 1902 an additional levy of \$1 per year, payable quarterly by every member for the benefit of the fund, was made.

The Flint Glass Workers established a "resistance fund" as early as 1881 by setting apart twenty cents per member

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<sup>21</sup> Cigar Makers' Official Journal, June 10, 1879.

<sup>22</sup> Iron Molders' Journal, July 10, 1880, p. 1; November 30, 1881, p. 3.

<sup>23</sup> Proceedings, 1882, pp. 12, 77.

<sup>24</sup> Proceedings, 1886, p. 51; 1888, p. 102.

per month "for the aid of any member or members, who shall be engaged in redressing a grievance by strike, and to be used for no other purpose." Special assessments could also be made by the national officers.<sup>26</sup> Secretary Dillon spoke at the 1887 convention of the advantage of having a substantial fund, and claimed that strikes in unions with such a fund were less numerous, shorter in duration, and of less severity than those in unions without strike funds.<sup>26</sup> The present rule was established in 1888, and requires that a certain percentage of the earnings of all members, to be collected at each factory or shop by two clerks, shall be paid over to the financial secretary and sent by him to headquarters. From two to ten per cent of earnings have been thus assessed for the resistance fund, the rate varying according to prospective necessity.

The Operative Potters, like the Flint Glass Workers, raise the money for their strike fund by an assessment on the earnings of their members. The amount of the assessment was fixed at the time of the establishment of the fund in 1894 at one per cent of all earnings.<sup>27</sup> There is a collector in each pottery, to whom the members must show their pay envelopes and who collects the assessment and turns it over to the local secretary. The latter at the end of each month sends it on to headquarters. Members failing to pay for three consecutive pay days, or six weeks, are subject to suspension.<sup>28</sup>

In 1885 the Printers, as the outcome of many years of discussion, adopted a plan for a strike fund. The failure to inaugurate such a fund previously had been due to lack of any strong need for it. "The printing industry," says Professor Barnett, "was so essentially a local industry, and the conditions in different places varied so widely, that the printers of one town had little direct interest in assisting the printers of other places. The older and more powerful unions, feeling themselves able to

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<sup>26</sup> Constitution, 1880-1881, art. vii, secs. 1-3.

<sup>26</sup> Proceedings, 1887, pp. 68, 71.

<sup>27</sup> Proceedings, 1894, p. 19.

<sup>28</sup> Local Constitution, 1910, secs. 112, 135, 136.

finance their own strikes, were unwilling to contribute to a fund which they feared would be used chiefly to support the smaller and weaker unions."<sup>29</sup> Even where the need of a national fund was obvious, objection was frequently made. An opponent of the establishment by the Stone Cutters in 1900 of a strike fund by an annual levy denounced the plan as all wrong "because such a fund would become a corruption fund, and would prove the rock upon which the National Union would go to pieces in the near future."<sup>30</sup>

Not only is a national defense fund maintained by many unions, but at times a special defense fund is raised for a definite purpose. The Bricklayers and Masons, for instance, in 1907 found it necessary to work against the open-shop policy of the National Manufacturers' Association, and so instituted a non-union shop defense fund. A circular was sent out to all the local unions asking for donations and emphasizing the fact that there had been no extra assessments for sixteen years. The convention of 1908 laid an assessment of a dollar a year on each member for the next two years, and provided that the fund was to be used only in non-union shop districts. About \$44,000 was expended from this fund in 1908.<sup>31</sup> A local union on strike in 1911, although it had not been organized a year as required for official strike sanction, was granted aid from this fund by the national officers.<sup>32</sup>

Variations from the ordinary plan for a strike fund are found in the Cap Makers and in the Chain Makers. These unions have no national defense funds, and have endeavored to remedy the deficiency by making provision for local funds. The rules of the former union provide that every local union shall have in its treasury six months after it has been chartered the equivalent of two weeks' strike

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<sup>29</sup> P. 36.

<sup>30</sup> Stone Cutters' Journal, October, 1900, p. 7.

<sup>31</sup> Forty-second Annual Report of President and Secretary, 1907, pp. 419, 459; Proceedings, 1908, p. 199; Forty-third Annual Report of President and Secretary, 1908, p. 339.

<sup>32</sup> Bricklayer, Mason and Plasterer, April, 1911, p. 75.

benefits for its members, and this sum may be raised by assessment.<sup>33</sup> The Chain Makers provided in 1908 that each of their local unions should raise a strike fund by requiring every member to pay a weekly amount specified by the local union. Members transferring to another local union may have their funds transferred upon depositing their cards. In case of a strike a member receives \$6 per week until his fund is exhausted. Every member must, however, pay into this fund until he has \$150 to his credit. Members withdrawing are not to receive their funds for six months, while in case of death the funds go to the nearest relative or are used for burial purposes.<sup>34</sup>

The methods used by the Cigar Makers, the Iron Molders, the Flint Glass Workers, and the Operative Potters for the establishment and maintenance of strike funds are typical. Strike funds are accumulated (1) by a regular tax on every member; or (2) a certain percentage of all dues is so apportioned; or (3) special dues, such as those imposed for the initiation or reinstatement of members, are dedicated to the fund; or (4) special assessments are made from time to time.

(1) Among the unions levying an annual tax may be found the Iron, Tin and Steel Workers, the Elevator Constructors, and the Metal Polishers, who levy \$3 per year; the Railway Conductors, who levy \$2; the Brewery Workmen, the Railway Trainmen, the Iron Molders, and the Street and Electric Car Employees, who levy \$1.

(2) The amount set aside from the dues varies in different unions. The Sheet Metal Workers turn 5 cents of a 15 cents per capita tax per month into the fund.<sup>35</sup> The Tile Layers also set aside 5 cents per member per month.<sup>36</sup> The Tin Plate Workers appropriate 10 cents out of a per capita tax of 25 cents per month.<sup>37</sup> Thirty-eight per cent

<sup>33</sup> Constitution [n. d.], art. xvi, sec. 1.

<sup>34</sup> Proceedings, 1908, p. 68.

<sup>35</sup> Proceedings, 1901, p. 3.

<sup>36</sup> Proceedings, 1910, pp. 9, 25, 34. In addition to this membership tax, all local unions pay five dollars per quarter to be added to the defense fund.

<sup>37</sup> Constitution, 1908, art. vi, sec. 2.

of all income is thus used by the Boiler Makers,<sup>38</sup> thirty-three and a third by the Tobacco Workers,<sup>39</sup> and fifteen per cent by the Painters.<sup>40</sup>

(3) Payments for initiation of members in local unions are in some unions turned into the defense fund. The Bricklayers and Masons, the Operative Plasterers, and the Stove Mounters receive one dollar for the fund for every new member, while the Railway Carmen receive two dollars. Special assessments may be laid by the general executive board in most unions for the defense fund in case of necessity or when the fund sinks below a certain amount.<sup>41</sup>

(4) There are still a number of unions which finance strikes partially or entirely by assessments. Strike assessments may be imposed (a) by a local union on its own members, (b) by a district lodge or district committee, (c) by the general executive board of the national union, (d) by a referendum vote of the entire membership, and (e) by a general convention. The assessment by a local union of its own members takes place, of course, only when a strike is a local one.<sup>42</sup> The district lodge or district committee, which exists where there is more than one local union in a place, takes charge in some instances of a strike, as has been shown, and it has also power in a number of unions to lay strike assessments when necessary.<sup>43</sup> In some fifty national unions such assessments are made by the executive boards, which have general authority as to time and amount. In several unions the amount that may be

<sup>38</sup> Proceedings, 1908, p. 473.

<sup>39</sup> Constitution, 1905, sec. 34.

<sup>40</sup> Constitution, 1911, sec. 191.

<sup>41</sup> The general executive board of the Boot and Shoe Workers was given authority in 1899 to raise a strike fund by a series of assessments to the amount of five dollars per capita (Proceedings, 1899, p. 38).

<sup>42</sup> A local union of the Barbers levied an assessment of fifty cents per member on each member who was working (Journeyman Barber, August, 1911, p. 226). This rule is observed also by the Bakery and Confectionery Workers, the Brewery Workmen, the Glove Workers, and the Painters, and by those local unions which finance their own strikes.

<sup>43</sup> For example, the Boiler Makers, the Carpenters, the Painters, the Machinists, and the Brewery Workers.

so assessed is fixed by a general rule.<sup>44</sup> The referendum vote in the unions which require it covers either all strike assessments or those proposed assessments which are in excess of the amount fixed by a general rule.<sup>45</sup> A regular or a special convention of a national union in cases of general strikes orders a special assessment for the particular strike and authorizes the general officers to collect the same. Special movements, like the one against the open shop by the Bricklayers and Masons just described, or an effort to obtain a shorter working day, are generally preceded by action of the convention looking toward the accumulation of the sinews of war.

The Flint Glass Workers in 1887, on the prospect of a general strike, laid an assessment of \$1 a week on each member. This was raised to \$1.50 per week and then to \$1.75. In May, 1888, a flat assessment of \$16 was laid on each employed member. The United Mine Workers in 1902 during the anthracite coal strike imposed an assessment of ten per cent on the gross earnings of members in certain districts, of \$1 per week on members in other districts, and an assessment of twenty-five per cent upon the wages, salaries, or percentages received from the organization by all national, district, and subdistrict officers and organizers.<sup>46</sup> The Printers during the struggle for the eight-hour day from 1906 to 1908 collected by assessment \$2,800,000.<sup>47</sup> These assessments represent abnormal conditions. Ordinarily, assessments are much

<sup>44</sup> The Bookbinders, the Brick, Tile and Terra Cotta Alliance, and the Broom Makers fix the maximum at 25 cents per week; the International Seamen do not allow over \$1 per month per member, nor for more than three months in any one fiscal year; while in the Powder Workers and the Wood-Workers the amount prescribed is 50 cents and 25 cents a month respectively. The Bridge and Structural Iron Workers on account of the McNamara disclosures passed a resolution in 1911 that at any time of "crisis, disaster or fatality" there should be no limit set to assessments.

<sup>45</sup> The Boiler Makers in 1911 by a vote of 4773 to 1887 voted a ten weeks' assessment of \$1 per week per member for boiler makers and 50 cents per week for workers and apprentices (*Boiler Makers' Journal*, December, 1911, p. 1006).

<sup>46</sup> *Proceedings, Special Convention, 1902*, p. 47.

<sup>47</sup> Barnett, p. 80.

smaller, as shown by the following instances: The Commercial Telegraphers in 1908 taxed their members one day's pay;<sup>48</sup> the Carpenters and Joiners in 1911 made the first assessment in eight years, one of 50 cents per member; the Stove Mounters in 1906 laid a tax of \$1 per member, while in the same year the Iron Molders made an assessment of 10 cents a week, then three levies of \$1 each, and, finally, one of \$1 per month. The United Mine Workers in 1910 made a levy of 25 cents per week per member. The ordinary penalty for non-payment of such strike assessments by local unions or by members is suspension.<sup>49</sup>

Although the collection of strike assessments has not ceased, the adoption of the strike fund in some one of its various forms has progressed so that today it is found in some sixty-five national unions as follows: the Amalgamated Woodworkers, the Bakers, the Barbers, the Brewery Workers, the Boot and Shoe Workers, the Bridge and Structural Iron Workers, the Bookbinders, the Blacksmiths, the Bricklayers and Masons, the Brick, Tile and Terra Cotta Alliance, the Broom Workers, the Boiler Makers, the Car Workers, the Cutting Die Makers, the Cap Makers, the Chain Makers, the Coopers, the Cigar Makers, the Carriage and Wagon Workers, the Cement Workers, the Commercial Telegraphers, the Elevator Constructors, the Granite Cutters, the Hatters, the Hotel and Restaurant Workers, the Iron, Steel and Tin Workers, the Industrial Workers of the World, the Iron Molders, the Locomotive Engineers, the Firemen, the Conductors, the Trainmen, the Metal Polishers, the Operative Plasterers, the Operative Potters, the Painters, the Pattern Makers, the Printers, the Photo-Engravers, the Plate Printers, the Railroad Clerks, the Railroad Telegraphers, the Railway Carmen, the Retail Clerks, the Stone Cutters, the Stove Mounters, the Street and Electric Railway Employees, the Slate Workers, the Stogie Makers, the Steam Engineers,

<sup>48</sup> Commercial Telegraphers' Journal, June, 1908, p. 340.

<sup>49</sup> The Cement Workers, one of the smaller national unions, imposed a strike assessment in 1910, and some seven local unions failed to pay and returned their charters (Proceedings, 1910, pp. 21-22).



the Steam Fitters, the Sheet Metal Workers, the Teamsters, the Tin Plate Workers, the Travelers' Goods and Leather Novelty Workers, the Theatrical Stage Employees, the Tile Layers, the Tobacco Workers, the Upholsterers, and the United Mine Workers.

Some unions provide a maximum limit to the growth of the fund as follows:

Street and Electric Railway Employees, 1903...	\$ 100,000
Street and Electric Railway Employees, 1907 <sup>50</sup> ...	1,000,000
Locomotive Engineers <sup>51</sup> .....	500,000
Railway Conductors <sup>52</sup> .....	200,000
Railway Trainmen <sup>53</sup> .....	300,000
Elevator Constructors <sup>54</sup> .....	50,000
Operative Plasterers <sup>55</sup> .....	50,000
Stone Cutters <sup>56</sup> .....	4,000
Cutting Die and Cutter Makers <sup>57</sup> .....	300
Sheet Metal Workers <sup>58</sup> .....	2,000
Chain Makers <sup>59</sup> per member.....	150

Other unions provide that a certain minimum amount must be kept:

Brewery Workmen <sup>60</sup> .....	\$25,000
Granite Cutters <sup>61</sup> .....	25,000
Tin Plate Workers <sup>62</sup> .....	10,000
Slate Workers <sup>63</sup> .....	300
Wood Carvers, <sup>64</sup> per member.....	1

The ordinary procedure is to continue strike dues until

<sup>50</sup> Proceedings, 1903, pp. 14, 35; 1907, p. 64.

<sup>51</sup> All over \$50,000 to be applied to Brotherhood of Locomotive Engineers' Building (Constitution, 1910, sec. 46).

<sup>52</sup> Proceedings, 1891, pp. 341-347; Constitution, 1909, sec. 75.

<sup>53</sup> Protective Fund, Rule no. 16.

<sup>54</sup> Proceedings, 1904, pp. 10, 11.

<sup>55</sup> The Plasterer, August, 1911, p. 18.

<sup>56</sup> Constitution, 1909, art. vi, by-laws, art. xvii.

<sup>57</sup> Constitution, 1911, art. xvi, sec. 5.

<sup>58</sup> Proceedings, 1905, p. 353.

<sup>59</sup> Proceedings, 1908, p. 68.

<sup>60</sup> Constitution, 1910, art. xiii, sec. 4.

<sup>61</sup> Constitution, 1909, sec. 18.

<sup>62</sup> Constitution, 1908, art. vi, sec. 4.

<sup>63</sup> Constitution, 1906, art. xi, sec. 2.

<sup>64</sup> Constitution, 1908, p. 16.

the maximum amount is reached and to lay a special assessment when the amount falls below the minimum set. The Amalgamated Association of Iron, Steel and Tin Workers requires, however, that not less than ten thousand dollars shall be in the national treasury in order that benefits may be paid.<sup>65</sup>

The status of the strike funds in some ten unions, shown by the amounts on hand at a certain time, was as follows:

Bakers, April 1, 1911.....	\$ 30,516.06
Barbers, July 1, 1911.....	15,362.17
Boot and Shoe Workers, 1909.....	151,626.53
Bridge and Structural Iron Workers, June 30, 1910.....	33,103.37
Flint Glass Workers, Sept., 1911.....	96,000.00
Hotel and Restaurant Workers, Jan. 1, 1909...	21,294.77
Locomotive Firemen, Jan. 1, 1911.....	352,752.54
Painters, Jan. 1, 1911.....	14,529.67
Operative Potters, June 1, 1910.....	320,163.58

The variation in amounts is due to the length of time the fund has been established, the number of members, and the dues paid into the fund. The amount of the fund of the Bakery and Confectionery Workers since its institution in 1904 has been as follows.<sup>66</sup>

Oct. 1, 1905, balance on hand.....	\$ 142.10
" 1, 1906, " " " .....	2,847.00
Sept. 1, 1907, " " " .....	20,466.17
" 1, 1908, " " " .....	36,583.01
" 1, 1909, " " " .....	39,040.31
" 1, 1910, " " " .....	12,816.06
Jan. 1, 1911, " " " .....	23,884.01

The Boot and Shoe Workers, the Locomotive Firemen, and the Operative Potters report the largest amounts on hand. These three unions allow no independent strikes, have high dues, and exercise a larger degree of central control than do most of the others. On the other hand,

<sup>65</sup> Constitution, 1910, art. x, sec. 4.

<sup>66</sup> The Bakers' Journal, January 14, 1911, p. 66.

the Barbers, the Hotel and Restaurant Workers, and the Painters allow a large measure of autonomy to their local unions.

On account of the general tendency among new local unions to agitate grievances which may result in strikes and exhaust the strike fund, many national unions provide for a certain definite length of time before a local union may receive strike benefits. A few, like the Blacksmiths and the Cutting Die and Cutter Makers, give benefits at once, but the general rule is that the local union must be affiliated with the national union for from three months to one year before benefits can be given.<sup>67</sup> In 1886 the Flint Glass Workers provided that the local union must be organized six months to receive strike aid, and in the following year waited for the expiration of six months before submitting one case to a general vote.<sup>68</sup>

Not only must the local union have been organized a minimum time, but in a number of national unions individual members must be in good standing at general headquarters as to dues and must have been affiliated for a certain length of time.<sup>69</sup> In some unions, like the Machinists, an elaborate card catalogue of all members is kept by the general secretary-treasurer, and no benefits are paid unless all obligations have been met. The Stone Cutters provided in 1900 that members not in good standing at headquarters should forfeit all claims to strike benefits,

<sup>67</sup> The Brick, Tile and Terra Cotta Workers' Alliance, the Coopers, and the Rubber Workers require three months; the Bookbinders, the Bakers, the Car Workers, the Flint Glass Workers, the Metal Polishers, the Operative Potters, the Sheet Metal Workers, and the Teamsters, six months, and the Bricklayers and Masons, the Elevator Constructors, the Photo-Engravers, and the Stone Cutters, one year. The rule of the Elevator Constructors excepts strikes called by a central body (Proceedings, 1903, p. 30). The Operative Potters allow benefits to a local union organized less than six months if the strike is approved by a majority vote of the trade (Constitution, 1910, sec. 60).

<sup>68</sup> Proceedings, 1887, p. 19; Constitution, 1886, art. viii, sec. 3.

<sup>69</sup> Such rules are enforced by the Boiler Makers, the Machinists, the Plumbers, the Steam Fitters, the Stone Cutters, the Teamsters, and the Tile Layers. The Boiler Makers, however, in 1900 repealed the rule requiring a striker to be a member six months before receiving strike benefits as being both unjust and unfair. All general dues must, however, be paid (Proceedings, 1900, p. 255).

and a general officer wrote in 1903 that the central office was the guide as to strike pay, "as there would be no end of trouble if we could interpret it any other way."<sup>70</sup>

Benefits are usually paid only to those who have been working when the strike is declared. In some unions the strike must be a general one. The Bricklayers and Masons<sup>71</sup> provided in 1903 that no benefits should be paid unless seventy-five per cent or more of the membership of a local union were engaged in a regularly approved strike.

The amount of the strike benefit paid varies:

Amount of benefit	Number of Unions paying
\$14.00 per week . . . . .	1
10.00 " " . . . . .	3
8.00 " " . . . . .	2
7.00 " " . . . . .	15
6.00 " " . . . . .	13
5.00 " " . . . . .	22
4.50 " " . . . . .	1
4.00 " " . . . . .	1
3.00 " " . . . . .	4

The principal railroad brotherhoods pay monthly strike benefits, as follows: Locomotive Engineers and Locomotive Firemen \$40, Conductors \$50, and Trainmen \$35.

Several do not pay a flat rate, but have established a maximum of \$5 or \$6 per week, the amount being determined by the general executive board according to the circumstances and the condition of the treasury. Some unions, such as the Carpenters, the Electrical Workers, the Glove Workers, the Hotel and Restaurant Workers, and the Sheet Metal Workers, do not pay a fixed weekly benefit, but send at intervals to the local union on strike lump sums to be divided among the strikers. A referendum vote in the Hotel and Restaurant Workers in 1905 declared against a fixed strike benefit.<sup>72</sup> The general

<sup>70</sup> Constitution, 1900, art. vii, sec. 12; Stone Cutters' Journal, May, 1903, p. 2.

<sup>71</sup> Proceedings, 1903, pp. 115, 116. The executive board refused to grant forty-four appeals for financial assistance from 1908 to 1910, because the facts set forth in the appeals did not make it clear that aid from the general office was necessary (Proceedings, 1910, p. 241).

<sup>72</sup> Mixer and Server, September 15, 1905, p. 9.

secretary of the Painters, in discussing the subject, doubted the wisdom of a fixed benefit in his union because of its cost.<sup>73</sup> The Tile Layers, partly on account of lack of funds, partly because they believed "that all just demands can be enforced without the necessity of striking when properly handled," eliminated in 1903 the provision for a definite benefit, and provided for financial assistance by unanimous vote of the general executive board. The general council of the Amalgamated Woodworkers reported in 1904 that although \$5 per week was the benefit established by law, special circumstances compelled them to donate only that amount which the condition of the general treasury would permit.<sup>74</sup> Other variations from a fixed rate are found in the Retail Clerks, who pay in proportion to the wages received, and in the Horseshoers, where the amount, although paid by the national union, is fixed by the local union at the rate established by the local union before going out on strike.

As will be seen from the table on page 103, the amount paid in some fifty unions is from \$5 to \$7 a week. Fifty-two unions pay the same rate to both married and single men, but twenty pay \$2 a week more to married men than they do to single men. In some cases \$1 a week is paid for the wife and 50 cents a week for each non-sustaining child. Naturally a man with a family needs a larger benefit, and such preferential treatment was accorded by the Philadelphia Cordwainers in 1806<sup>75</sup> and the Knights of St. Crispin in 1870.<sup>76</sup> An occasional dissenting voice, however, is raised against such preference: "Married men and single men should be paid alike. A man's fortune or misfortune of having a wife or not having one should not be considered."<sup>77</sup> Women, on the other hand, together with apprentices, are paid about half the sum paid men in the Bookbinders, the Travelers' Goods and Leather Novelty

<sup>73</sup> Painter and Decorator, December, 1909, p. 756.

<sup>74</sup> Proceedings, 1904, p. 16.

<sup>75</sup> Commons and Gilmore, vol. iii, p. 83.

<sup>76</sup> Lescohier, p. 67.

<sup>77</sup> Stone Cutters' Journal, February, 1900, p. 11.

Workers, the Paper Makers, the Machinists, and the Photo-Engravers.

Additions to the stated benefits are made at times. The Brewery Workers in 1905 paid an additional \$2 a week to striking members in the West because it was "impossible for any man to exist on \$5. per week on the Pacific Coast."<sup>78</sup> Local unions, also, when able, pay benefits in addition to those of the national union. The Flint Glass Workers allow striking members working outside of the trade to bring their earnings up to \$15 per week, including strike benefits. On the other hand, the usual custom is to deduct from the strike pay all dues that may be in arrears.

Although some unions pay their striking members benefits from the beginning of the strike or from the time of sanction by the national officers, the rule in twenty-five unions is to throw the local union upon its own resources for the first week, while some twelve unions pay nothing for the first two weeks. In a few others the time is extended to three weeks or four weeks or thirty days. But discretion is used at times in regard to the time of beginning benefits and, as expressed by Secretary Kempner of the Brewery Workmen, "common sense" is used and regard is had for the condition of members. The Brotherhood of Railroad Trainmen during a strike in 1907 paid for the first two weeks "on account of the financial condition of the men and as a matter of good policy."<sup>79</sup>

The amount of benefits is changed in some unions, as the Cigar Makers, the Piano Workers, the Plumbers, and the Travelers' Goods and Leather Novelty Workers, after a certain time, varying from eight to sixteen weeks, has elapsed. A reduction of two dollars a week or more is then made, the reduced benefit being paid until the end of the strike.<sup>80</sup> The larger number of unions, however, continue to pay the same original benefit until the strike is either won or declared off, or for a certain definite period

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<sup>78</sup> Proceedings, 1906, pp. 100-104.

<sup>79</sup> Proceedings, 1909, p. 3.

<sup>80</sup> This provision was adopted first by the Cigar Makers and has been frequently copied (Constitution, 1886, art. vi, sec. 1).

which may be extended, or during the discretion of the general officers. The setting of a time limit is based not only on the idea of conserving the resources of the national union, but also on the belief that most strikes are won or lost within a few weeks. The tendency, however, is to allow the national officers freedom to act according to the conditions surrounding a particular strike. By withdrawing strike benefits the national officers virtually end a strike.<sup>81</sup>

The value of a time limit is seen in the experience of the Flint Glass Workers, who reported in 1892 that some strikers had been carried on the benefit rolls for nearly four years. In 1897, on account of the industrial depression and numerous strikes, all men carried on strike benefits for more than a year were cut off, and in 1911 a resolution was passed that "in no case shall they be carried on the relief roll longer than one year unless by a vote of the trade."<sup>82</sup> The Bricklayers and Masons also financed a struggle for the nine-hour day by two local unions in North Carolina in 1904-1905 for eighty-seven weeks at a cost of \$19,464.60 for benefits.<sup>83</sup> The convention of the national union has voted in some cases to extend the time, and the officers in the exercise of their discretion usually have power to prolong the payment of benefits.

Even when a strike is won or called off, benefits are usually paid to some members until they find work, and more especially to members of advanced age who are unable to find employment at the trade after the termina-

<sup>81</sup> The general executive board of the Amalgamated Association of Street and Electric Railway Employees in 1911, after benefits for strike had been paid for twenty-five weeks, believed it was time to bring the strike to a close and so declared the strike off. But finally they allowed the strike to go on with national benefits and permitted an appeal for aid to be sent out (Proceedings, 1911, p. 27).

<sup>82</sup> Proceedings, 1897, p. 17; 1911, p. 181.

<sup>83</sup> Fortieth Annual Report of President and Secretary, 1905, p. 396. "These brothers down in Durham," said a commentator, "are too dependent, and show no spirit of self-reliance, which is a very bad feature, and tends to promote a feeling in neighboring towns to look for financial aid" (Forty-first Annual Report of President and Secretary, 1906, p. 62).

tion of the strike.<sup>84</sup> In 1910 the Machinists continued the benefits to twelve members over sixty years of age for one hundred and thirty weeks, each receiving aggregate benefits of \$1009.<sup>85</sup> The Locomotive Engineers in 1904 had twenty-two still on the benefit roll from the Burlington strike of 1888, and in 1911 there were sixteen still left. The benefits are \$25 per month, and have been continued in some instances to widows of deceased strikers. From two other strikes there were left in 1904 twelve and three pensioners, respectively.<sup>86</sup>

In order to systematize payment and to guard against fraud many unions provide blank strike pay rolls for the strike officials and members to fill out and return to headquarters at stated periods. The Bricklayers and Masons at the request of their secretary provided such a form as early as 1869, and this form has been copied by other unions. Such pay rolls were to be made out in triplicate for the secretary of the national union, the secretary of the subordinate union, and the paymaster making payments. A local union receiving permission to strike was directed to elect a receiver, a clerk, and a paymaster. The duty of the clerk was to make a monthly statement and at the end of the strike a complete account for the secretary of the national union and for publication.<sup>87</sup> The form used today in some twenty typical unions varies but little. The signature of the striker, the number of his union card, the time and amount of benefits, countersigned by two officials on the ground, are usually required. The Iron Molders provide for attestation by the paymaster and the clerk, the Bricklayers and Masons by the local financial secretary and the special deputy paymaster; but the Carpenters and Joiners require only the signature of the chairman of the strike committee. A customary usage is to print the rules

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<sup>84</sup> The Metal Polishers extended benefits thus by vote of the executive board for two members (*Our Journal* [Metal Polishers], January, 1911, p. 24). See also *Boot and Shoe Workers' Journal*, 1895, p. 43.

<sup>85</sup> *Machinists' Monthly Journal*, February, 1910, p. 153.

<sup>86</sup> *Proceedings*, 1904, p. 7.

<sup>87</sup> *Proceedings*, 1869, pp. 45, 109.



governing the payment of strike benefits on the pay roll for the guidance of the disbursing officials.<sup>88</sup> Either the representative of the national union or an official designated by the district committee or by the local committee ordinarily acts as a disburser of the fund. Officers receiving and paying strike benefits are sometimes required to give a bonded security. Should any intimation of fraud be made, benefits are usually suspended pending an investigation. Receipts are taken for all benefits paid, and the return to the general officers of strike rolls properly filled out, usually every week, is insisted upon as the condition for further strike pay.

Another form of benefit is that paid for "victimization," that is, for cases in which a member is discharged because of serving on a grievance committee or being active in any way in trade-union matters. The Granite Cutters in 1877 provided that such members should receive full compensation for their loss and be aided in seeking work; but when work was found, whether accepted or not, benefits should cease.<sup>89</sup> Some unions provide that "victimization" cases shall be governed by the same rules as apply to strikes and

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<sup>88</sup> The Iron Molders have these rules:

"Decision 17. No person can be put on strike pay-roll who was not at work in the shop when the strike took effect.

"Decision 18. A member on pay-roll securing work must be taken off the rolls.

"Decision 19. A member on strike who has been taken off the pay-roll on account of securing work can only be placed on the rolls again, if, after investigation by the President of the I. M. U. of N. A. or his deputy, it is found to be for the best interest of the I. M. U. of N. A.

"Decision 20. A member on strike drawing a card for the purpose of looking for work, and failing to find same, may be placed on the rolls again from the date of his return, but in so doing the case must be so explained when sending pay-roll to the Secretary.

"Rule 8. The Paymaster and clerk must send to the Secretary of the I. M. U. of N. A. on each pay-roll, their affidavit that every name on said pay-roll is entitled to benefits according to our laws, and that they are actively engaged in said strike or lockout, and are not employed at some other occupation.

"Rule 9. In the event of its being discovered that any local disbursing officers are found guilty of falsifying the pay-rolls, it shall be mandatory for the President of the I. M. U. of N. A. to prosecute them."

<sup>89</sup> Constitution, 1877, art. xv.

that regular strike benefits shall be paid.<sup>90</sup> In other unions aid varies from temporary assistance to a definite sum for a short period.<sup>91</sup>

Lockouts, when sanctioned by the national officers, are considered strikes and regular strike benefits are paid. A lockout, however, may be brought on by the arbitrary conduct of the union, and the national officers may have power to refuse benefits if the union has been in fault. Lockouts, like strikes, are investigated by the national officers, and the same rules are followed. "An 'iron clad' notice shall not constitute a lockout. Should any employer be unscrupulous enough to require employees to sign individual contracts, under threat of lockout, members are directed to sign them and report the same to their Local Executive Board. The Local Executive Board shall report the same to the General Executive Board as in strikes."<sup>92</sup>

As a method of relieving the strain on the defense fund, several unions, such as the Bakers, the Barbers, the Bookbinders, the Brewery Workmen, the Broom Makers, the Flint Glass Workers, the Machine Printers, the Photo-Engravers, the Plate Printers, the Operative Potters, the Stogie Makers, the Teamsters, and the Wood Carvers, explicitly provide that any member refusing work when it is offered during a strike shall be cut off from strike benefits. The general executive board of the Flint Glass Workers, for instance, after the adoption of a sliding scale in 1905 in the chimney department, which was accompanied by a revival of trade and work, forced the off-hand gatherers who had been on strike to go to work as chimney gatherers or be cut off the relief roll. Some forty-five members of two local unions were struck off the relief roll on account of their refusal to accept work.<sup>93</sup> The Barbers in 1911 thus

<sup>90</sup> The Boiler Makers, the Broom and Whisk Makers, the Iron Molders, the Machinists, the Pattern Makers, the Stogie Makers, and the Travellers' Goods and Leather Novelty Workers follow this rule.

<sup>91</sup> Proceedings, Boot and Shoe Workers, 1899, p. 37; Cap Makers, Constitution [n. d.], art. x, sec. 14; Tin Plate Workers, Constitution, 1908, art. ix, sec. 1.

<sup>92</sup> Proceedings, Boot and Shoe Workers, 1899, p. 37.

<sup>93</sup> Proceedings, 1906, p. 32.

withdrew aid from members who refused work in a union shop at the minimum wage scale. Strikers who have part-time work are in some unions debarred from benefits. The Carriage and Wagon Workers, the Stove Mounters, and the Teamsters count three days' work as a week, while the Photo-Engravers and the Plate Printers regard four days as a week and deduct a week's benefit. For less than four days one fourth is deducted by the Photo-Engravers from the week's benefit for each day of work. The Bakery and Confectionery Workers allow a member to do jobbing for a week without loss of benefits.<sup>94</sup>

After a member has obtained work he cannot receive strike benefits again. In some unions a time limit of two to four weeks of continuous employment is set, after which the striker's name cannot be put back on the strike roll. In other unions a striker may be granted benefits again after securing work and being laid off, provided it be within the time limit for the payment of benefits. The Stove Mounters passed such a rule in 1908 because otherwise a member on strike would be discouraged from accepting employment unless certain as to the permanency of the work.<sup>95</sup>

In addition to strike benefits or in lieu of them a local union may receive donations from other local unions. Appeals for assistance must, however, be sanctioned by the national officers, according to the specific rules of some twenty-five unions. President Fox of the Iron Molders protested in 1902 that all such circulars should be submitted to the president before being sent out. To make control of the local union more certain all funds donated, according to the rules of some unions, must be sent to headquarters and from there to the local union in need.

<sup>94</sup> Strike Instructions: "If a striker secures a steady position and leaves said position after one week, all strike benefit will cease. Whenever a striker refuses to accept a steady position, strike benefit also ceases. Jobbing a week is not considered as a steady position. The strike benefit official must report every week to the International Treasurer whenever a member goes to work, whether he is jobbing or has steady work" (Bakers' Journal, May 13, 1911, p. 3).

<sup>95</sup> Proceedings, 1908, pp. 15, 37.

But even when there is no specific rule, voluntary donations are usually handled by the general treasurer and acknowledged in the union's journal. Such central control puts the money in charge of one person instead of several, and makes possible the immediate withdrawal of the appeal when enough has been received or the strike ended.

An appeal may be allowed when the limit of benefits from the national union has been reached, or in case the national union pays only a small benefit or no benefits at all, or for disputes which are not sanctioned as complying sufficiently with the strike rules to be supported by regular strike benefits but which nevertheless deserve some support, or when the treasury of the national union is low. The executive board of the Bricklayers and Masons, for example, in 1904 gave permission to solicit donations to a local union out on an unsanctioned strike as a protest against the "open shop policy" and the "relentless and unscrupulous attitude of the employers."<sup>96</sup> In 1909 three circulars were issued by the general officers of the Brick, Tile and Terra Cotta Workers' Alliance requesting help for one of their local unions similarly situated. The Rubber Workers permit voluntary donations to be given a local union out on strike before it has been affiliated for the three months required for the receipt of strike benefits.<sup>97</sup>

Strike benefits paid over a series of years amount in some unions to very large sums. The Flint Glass Workers reported in 1898 that \$1,768,641.93 had been thus paid out since their organization in 1878. The Burlington strike of 1888, with a few pensioners still on the roll, has cost the Locomotive Engineers over a million dollars (\$1,008,153.17). The Machinists from 1891 to 1910 have paid some \$2,023,231.19; and in addition to this, district lodges have paid benefits in large sums to those not included in the membership or to members not in good standing with the grand lodge. The Iron Molders have always been an

<sup>96</sup> Thirty-ninth Annual Report of the President and Secretary, 1904, p. 474.

<sup>97</sup> Constitution, 1910, art. xiii, sec. 4; 1903, art. x, sec. 1.

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aggressive and militant organization, and during the period from 1860 to 1875 spent the following amounts:

1860.....	\$ 5,511.60
1861.....	1,115.00
1863.....	10,329.89
1864.....	3,000.00
1865.....	3,300.00
1866.....	25,000.00
1867-68.....	9,500.00
1868-9-70.....	5,350.00
1870-1-2.....	32,209.78
1872-3-4.....	20,788.82
1874-5.....	8,622.46

or nearly \$125,000, during the fifteen years.<sup>98</sup> After 1884 the benefits gradually increased in amount, as is shown in the following table:

Period	Length of Period	Cost	Average Yearly Cost
1884-86	2 years	\$ 28,800.40	\$ 14,400.20
1886-88	2 years	33,883.54	16,941.77
1888-90	2 years	67,964.32	33,982.16
1890-95	5 years	209,907.52	41,981.10
1895-99	4 years	175,870.20	43,967.55
1899-02	3 years	327,961.68	109,320.56
1902-07	5 years	1,477,009.46	295,401.89
1907-11	4 years	1,009,322.15	252,330.54

The total cost for the twenty-seven years since 1884 has been \$3,338,202.76. The increased expenditures, especially since 1890, are attributable to actual payments of strike benefits (for previously benefits had frequently been unpaid), the centralization of control which has thrown the entire cost on the national union, and the growing opposition of manufacturers to unionism in general and the Iron Molders in particular. The opposition of the National Founders' Association in 1900 and in 1904 increased greatly the cost of strikes.

The United Mine Workers report the following strike benefits as paid from 1900 to 1910:

1900.....	\$ 144,462.50
1901.....	202,202.71
1902.....	1,834,506.53

<sup>98</sup> Counting the average membership at five thousand per year, says one commentator, "the strikes cost less than two dollars per year" (Iron Molders' Journal, September 10, 1875, p. 424).

# STRIKE BENEFITS

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1903.....	301,922.44
1904.....	1,065,435.47
1905.....	753,626.02
1906.....	805,599.92
1907.....	105,045.57
1908.....	744,897.19
1909.....	600,267.39
1910.....	1,532,020.42
	<u>\$8,089,986.16</u>

Most of the money is said to have been spent in localities where there was the least organization. Strikes as a means of organization are declared to be too expensive. "The enormous waste of money," said President Lewis, "and the tremendous waste of energy incident to a strike should be avoided. Our right to strike must never be surrendered, but as the strike is an industrial war measure it should be the last method resorted to in our effort to enforce any demands that we present to the mine owners."<sup>99</sup>

The Bakery and Confectionery Workers have had numerous small strikes, and make the following report of benefits paid since the inauguration of the strike fund in 1904:<sup>100</sup>

Oct. 1, 1904, to Oct. 1, 1905, 1 year.....	\$ 14,355.30
" 1, 1905, " Sept. 1, 1906, 11 months.....	26,175.50
Sept. 1, 1906, " " 1, 1907, 1 year.....	10,974.00
" 1, 1907, " " 1, 1908, 1 year.....	7,895.00
" 1, 1908, " " 1, 1909, 1 year.....	14,553.00
" 1, 1909, " " 1, 1910, 1 year.....	66,845.00
" 1, 1910, " Jan. 1, 1911, 4 months.....	1,053.00
Total Benefits Paid.....	<u>\$141,850.80</u>

The expenditures of the Coopers for strike benefits from 1900 to 1910 were as follows:

Period	Length of Period	Cost	Average Yearly Cost
1900-02	2 years	\$ 4,793.10	\$2,396.55
1902-04	2 years	8,487.57	4,243.78
1904-06	2 years	13,230.05	6,615.02
1906-08	2 years	3,373.10	1,686.50
1908-10	2 years	4,550.50	2,275.25

The higher cost in 1904-06 was not due to an increase in the number of strikes or strikers, but because strikes were

<sup>99</sup> Proceedings, 1911, p. 50.

<sup>100</sup> Bakers' Journal, January 14, 1911, p. 66.

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better financed than before. The next four years show the result of larger control of strikes by the general executive board.<sup>101</sup>

The Cigar Makers have paid out the following sums since the inauguration of a strike fund in 1879:

Year	Strike Benefit	Cost per member per year
*1879	\$ 3,668.23	\$ 1.34 <sup>4</sup> / <sub>10</sub>
1880	4,950.36	1.11 <sup>4</sup> / <sub>10</sub>
†1881	21,797.68	1.49 <sup>3</sup> / <sub>10</sub>
‡1882	44,850.41	3.92 <sup>2</sup> / <sub>10</sub>
1883	27,812.13	2.10 <sup>3</sup> / <sub>10</sub>
1884	143,547.36	12.62 <sup>3</sup> / <sub>10</sub>
1885	61,087.28	5.09
1886	54,402.61	2.20
1887	13,871.62	6.74
1888	45,303.62	2.66 <sup>4</sup> / <sub>10</sub>
1889	5,202.52	.29 <sup>8</sup> / <sub>10</sub>
§1890	18,414.27	.74 <sup>7</sup> / <sub>10</sub>
1891	33,531.78	1.38 <sup>4</sup> / <sub>10</sub>
1892	37,477.60	1.40 <sup>4</sup> / <sub>10</sub>
1893	18,228.15	.68
1894	44,966.76	1.61 <sup>8</sup> / <sub>10</sub>
1895	44,039.06	1.58 <sup>8</sup> / <sub>10</sub>
1896	27,446.46	1.00 <sup>4</sup> / <sub>10</sub>
¶1897	12,175.09	.46
1898	25,118.59	.94 <sup>3</sup> / <sub>10</sub>
1899	12,331.63	.42
1900	137,823.23	3.08 <sup>2</sup> / <sub>10</sub>
1901	105,215.71	3.02
1902	85,274.14	2.23 <sup>9</sup> / <sub>10</sub>
1903	20,858.15	.51 <sup>3</sup> / <sub>10</sub>
1904	32,888.88	.76 <sup>8</sup> / <sub>10</sub>
1905	9,820.83	.23 <sup>7</sup> / <sub>10</sub>
1906	44,735.43	1.10 <sup>2</sup> / <sub>10</sub>
1907	22,644.68	.52 <sup>3</sup> / <sub>10</sub>
1908	32,423.39	.77 <sup>9</sup> / <sub>10</sub>
1909	19,999.58	.43 <sup>8</sup> / <sub>10</sub>
1910	221,044.70	4.90 <sup>2</sup> / <sub>10</sub>

\* Weekly dues 10 cents, † 15 cents, ‡ 20 cents, § 25 cents, ¶ 30 cents.

The total cost of strikes from 1879 to 1910 was \$1,432,-951.93.<sup>102</sup> The largest cost per member occurred in 1884

<sup>101</sup> Coopers' International Journal, October, 1910, p. 561; November, 1906, p. 10.

<sup>102</sup> Cigar Makers' Official Journal, April 15, 1911, p. 11.

on account of a disastrous strike in Cincinnati entered into against the protests of the general officers, and amounted to \$12.62 $\frac{3}{4}$ . The strike committee reported at the 1885 convention against such large expenditures, and said: "It is neither wise nor practical to at all times strike, even against a reduction in wages." The rules in regard to strikes were at that time revised and made more rigid.<sup>103</sup>

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<sup>103</sup> Proceedings, 1885, p. 23.



## CHAPTER VIII

### THE TERMINATION OF STRIKES

The development of the power to end a strike has been much the same as that of the power to initiate a strike. From the nature of the case, however, the rules are less rigidly enforced, especially if a favorable settlement can be made.

Many strikes have no official end because the men gradually get work elsewhere. A strike of the Horseshoers in New York City, for instance, was declared eight years ago and has never been called off. Such a strike, of course, has no real existence. A strike may be ended (1) by a vote of the local union or local unions involved, (2) by action of the representative or agent of the general union, (3) by the general executive board of the national union, (4) by a general vote, or (5) by a convention of the national union.

(1) The vote by the local union or local unions is found in those trades where the local union has the right to strike on its own initiative. In those unions where there is a large measure of control by the national officers, the vote of the local union becomes effective only with the consent of the national officers. The usual rule is that a regular or special meeting of the local union must be held and the terms of settlement submitted to a vote. Some national unions require the same vote for concluding as for initiating a strike; others require only a majority vote. The vote of a local union in favor of ending a strike is not always sanctioned by the national officers. In 1908 the officers of the Stove Mounters declared in regard to a strike called off by one of their local unions: "The International Executive Board has never sanctioned the calling off of this strike, because the Mounters who secured employ-

ment were forced to sign an individual contract and work with helpers."<sup>1</sup>

(2) The representative or agent of the national union, as has been noted, is sent to the scene of the trouble as soon as a dispute arises, and he usually remains until the strike has been settled. The power of the general agent in the termination of strikes appears to have grown out of the practice of local unions in sending for their general president when in trouble. Grand Chief Arthur of the Locomotive Engineers brought about a settlement of several strikes by personal efforts and conferences with railroad officials, and today, although the matter is usually put to a vote, the general officers of this brotherhood may terminate a strike.<sup>2</sup> The same is true of the grand master of the Locomotive Firemen, with the consent of a majority of the members of the executive board.<sup>3</sup> The president of the Conductors, together with the general committee of adjustment, has similar powers.<sup>4</sup> President W. J. Smith of the Flint Glass Workers in 1887 in conjunction with a committee of the local union brought to an end a strike that had been going on for a year.<sup>5</sup> The presidents of the Boiler Makers, the Stone Cutters, and other unions intervene in like manner when the necessity arises.

On account of a disastrous strike in 1884-1885, the Cigar Makers adopted the device of arbitration and the sending of agents to the scene of any strike. In 1906 the national union sent two representatives to adjust a dispute. The local union did not desire the presence of these two officials, Ex-President Strasser and W. S. Best, who finally reached an agreement with the manufacturers and brought the strike to an end. The local union had the right to an appeal to a general vote against the action of the general repre-

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<sup>1</sup> Proceedings, 1908, p. 8.

<sup>2</sup> Locomotive Engineers' Monthly Journal, May, 1875, p. 255; January, 1877, p. 29; February, 1877, pp. 65-71.

<sup>3</sup> Locomotive Firemen's Magazine, November, 1894, p. 1079. This in case two thirds of the members refuse to declare a strike off.

<sup>4</sup> Constitution, 1909, sec. 74. A strike on the Erie Railroad in 1891 was settled by Grand Chief Conductor Clark and the national officers (Railway Conductor, February 15, 1891, p. 127).

<sup>5</sup> Proceedings, 1887, p. 29.

sentatives, but contented itself by protesting in the columns of the official organ. Agent Strasser said: "The duty of the arbitrators and agent is to represent the interests of the International Union, regardless of the local instructions of the strike committee. It is also their duty to bring about an amicable and honorable adjustment of the trouble as speedily as possible, thus saving the funds of the International Union, which would be otherwise wasted; and to maintain the honor and reputation of the International Union for fair dealing with union manufacturers."<sup>6</sup> The decision of the representatives of the national union to terminate a strike in New Haven was approved by the executive board and then by a general vote.<sup>7</sup> In 1892 the executive board of the Bricklayers and Masons was authorized to send a deputy to the scene of any strike to investigate and report as to prospects of success, and if these reports were unfavorable the board was to declare the strike off.<sup>8</sup> Such procedure is a common practice in most unions, and in most cases the general representative acts in conjunction with the local officials. A common rule is that final settlements must be made in the presence of the local committee.<sup>9</sup>

The duties of a representative in the Stone Cutters' Union is defined thus: "He shall immediately proceed to the headquarters of said Branch where strike or lockout exists and give them assistance within his power to settle said strike or lockout, final decision to be given by the Executive Board."<sup>10</sup> A good deal of authority is given to the general representative. His decisions are binding in some unions and subject to approval of the executive board or a general vote in others.

When a number of national unions are involved in a strike, a settlement is usually brought about by the officials

<sup>6</sup> Cigar Makers' Official Journal, September 15, 1906, p. 3.

<sup>7</sup> Ibid., February 15, 1909, p. 8. This same procedure is followed by the Plumbers and the Tobacco Workers.

<sup>8</sup> Proceedings, 1892, p. 96.

<sup>9</sup> Stove Mounters, Proceedings, 1901, p. 12; Paper Makers, Constitution, 1912, art. vi, sec. 2.

<sup>10</sup> Proceedings, 1904, p. 33.

of the various unions. In the settlement of a general strike in the shops of the Missouri Pacific Railway system in 1910, terms of settlement were signed by the national officers of the Machinists, the Boiler Makers, the Blacksmiths, and the Sheet Metal Workers.<sup>11</sup> A general strike by the employees of the International Paper Company in 1910 was terminated by an agreement signed by the officers of the company and by representatives of the Paper Makers, the Pulp Sulphite and Paper Mill Workers, the Machinists, the Steam Fitters, the Steam Engineers, the Electrical Workers, a general organizer of the American Federation of Labor, and the chairman of the Bureau of Mediation and Arbitration of the State of New York.<sup>12</sup>

(3) The representative or agent is usually sent by the general executive board of the national union, and in that board the supreme executive authority of the union is vested. As previously stated, the board is made up of the national officers, including the president, and, in some unions, of additional representatives from the general membership. The tendency is toward a larger measure of control by this body in termination of strikes. The Iron Molders saw the necessity of some central control in bringing unsuccessful strikes to a close, and in 1874 vested such power in the president and four vice-presidents.<sup>13</sup> Two strikes were settled by these officers during 1874-1876. The president in his report in 1876 said that "he had no extraordinary power as he must consult with and abide by the wishes of the four vice-presidents." A provision for two weeks' notice to the local union on strike was added to the rules at this convention, and in 1878 the power was transferred to the president and the executive board.<sup>14</sup>

In some unions action to stop a strike has been taken by the national officers on their own responsibility because conditions rendered it necessary to terminate the strike. For

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<sup>11</sup> Machinists' Monthly Journal, February, 1911, pp. 113, 160.

<sup>12</sup> Report of the New York State Department of Labor, 1910, pp. 474-480.

<sup>13</sup> Iron Molders' Journal, August, 1874, p. 4.

<sup>14</sup> Proceedings, 1876, pp. 7, 82.

example, the officials of the Flint Glass Workers called off a strike in 1886 and declared strike benefits at an end. The strikers protested against this action; but similar decisions were quoted as precedents, and as these precedents had passed unquestioned by any convention a warrant for them was thus given. The result was that authority to terminate strikes was given to the executive board.<sup>15</sup> The Locomotive Firemen provide that in case two thirds of the members on a division or system refuse to declare a strike off, it can be ended by the grand master together with a majority vote of the general executive board. In case the president and the general committee of adjustment of the Conductors cannot agree, the board of trustees of that union, after a strike has been in force ten days, can decide, and their decision is final.<sup>16</sup> A number of unions, like the Barbers, the Boot and Shoe Workers, the Box Makers, the Bricklayers and Masons, the Bridge and Structural Iron Workers, the Cutting Die and Cutter Makers, the Freight Handlers, the Lace Curtain Operatives, the Metal Polishers, the Pattern Makers, the Iron, Tin and Steel Workers, the Retail Clerks, the Stogie Makers, the Stone Cutters, the Tile Layers, the Tin Plate Workers, the Powder Workers, and the Woodworkers, give their executive boards definite power to end a strike. In some unions a strike by a local union may be appealed directly to the national union by the firm or company against which the strike is called. In the case of a firm in Denver whose bricklayers refused to handle material made by a certain manufacturer, the executive board of the Bricklayers and Masons ordered the strike off.<sup>17</sup>

The real power of the general executive board is found in its control of strike benefits. If there are no strike benefits, the local union on strike can accept or reject the advice of the executive board. The development of this control has been traced in previous chapters. Where

<sup>15</sup> Proceedings, 1887, pp. 30, 80.

<sup>16</sup> Locomotive Firemen's Magazine, November, 1894, p. 1079; Proceedings, 1897, p. 10; Constitution, 1909, sec. 74.

<sup>17</sup> Forty-third Annual Report, 1908, p. 26.

strike benefits are paid, a strike may be practically ended by the withdrawal of strike benefits. Some national unions, such as, for example, the Amalgamated Glass Workers, the Boiler Makers, the Broom Makers, the Cap Makers, the Carpenters and Joiners, the International Seamen, the Iron Molders, the Ladies' Garment Workers, the Painters, the Teamsters, the Tile Layers, and the Wood Carvers, give their presidents and general executive boards discretionary power to declare a strike at an end so far as financial aid from the general union is concerned. Local unions may continue the struggle on their own financial responsibility, but such action virtually ends a strike. In the same way, in 1911, the general executive board of the Coopers discontinued paying benefits to a local union, believing that the general organization had done its duty to the local union.<sup>18</sup> A number of unions also set a definite time limit for the payment of benefits, and as a rule this limit, unless extended, automatically ends a strike.

(4) A general vote of all local unions is required in a number of general unions before a strike can be terminated. A general vote of the division or railroad system to which the men belong is taken in the railroad brotherhoods like the Locomotive Engineers, the Locomotive Firemen, the Conductors, and the Trainmen on the acceptance of the terms of settlement. The Flint Glass Workers, the Lake Seamen, the Operative Potters, and some other unions require a vote of all members before a strike can be terminated. A strike continues indefinitely with the Flint Glass Workers until so ended, but benefits lapse at the end of a year unless continued by a general vote.<sup>19</sup> A special convention may be called to consider the termination of a strike. The Commercial Telegraphers in 1907 called a special convention which appointed a "Peace Committee" to adjust the strike, but finally the question was submitted to a vote of all the local unions and carried.<sup>20</sup> A very

<sup>18</sup> Coopers' International Journal, April, 1911, p. 239.

<sup>19</sup> Proceedings, 1911, pp. 34, 181.

<sup>20</sup> Commercial Telegraphers' Journal, November, 1907, pp. 11, 40, 42.

common usage is that of the United Mine Workers in submitting terms of settlement to a general vote. The Ohio local unions embracing District No. 6 held a convention in 1895 and took up the question of agreement with the operators, and then submitted the same to a referendum vote of the miners of Ohio. The vote was 5091 in favor and 4351 against.<sup>21</sup> In 1910 the demands of the operators were submitted to the members in Illinois by the executive board and refused by a vote of 45,190 to 1435, and the end of the strike came through the operators acceding to the demands of the United Mine Workers.<sup>22</sup> In some unions, after a strike has lasted a definite period, as for twenty weeks with the Piano Workers,<sup>23</sup> a referendum vote is necessary to continue it longer. The decision of the national deputy in favor of terminating a strike, if not agreeable to the local union, is submitted to a general vote by the Box Makers, the Cigar Makers, the Plumbers, and the Tobacco Workers, and if so approved, becomes binding.

(5) The termination of a strike by a convention of the national union or of the district unions occurs frequently because sovereignty in the national union is usually found in the convention. Some unions, however, submit all rules or changes made to a referendum vote. The convention of the Iron Molders, for instance, in 1876 discontinued strikes in five places. After the president and other officers of the Chain Makers had had many conferences and a referendum vote for a settlement was lost, a convention in 1908 declared off a strike which had lasted for three years.<sup>24</sup> In 1904 on the occasion of a strike in West Virginia a special convention of the United Mine Workers of the New River District was called by the authority of the general officers. The whole situation was explained to the delegates at the convention, and by a large majority the convention declared the strike at an end.<sup>25</sup> Likewise

<sup>21</sup> United Mine Workers' Journal, June 6, 1895, p. 1; June 13, 1895, p. 1.

<sup>22</sup> Proceedings, 1911, p. 73.

<sup>23</sup> Constitution, 1906, art. vi, sec. 1.

<sup>24</sup> Proceedings, 1908, p. 80.

<sup>25</sup> Proceedings, 1904, p. 42.

in 1901 a proposition for strike settlement by several anthracite coal operators was considered at the Scranton Convention and accepted. A proclamation declaring the strike officially ended was issued after being signed by the national executive board and the presidents and secretaries of districts nos. 1, 7, and 9.

The local union or unions involved in a strike are bound to accept the terms of a settlement brought about by duly constituted authority. The Metal Polishers follow the general usage in declaring that "any local union accepting a settlement contrary to the decision of all local unions or the National Executive Board shall be expelled by the International Union upon presentation of sufficient evidence of guilt."<sup>28</sup> Not only may such action be penalized by revocation of charter, but individual members may be suspended if they refuse to obey the instructions of the general officers to return to work in such unions as the Blacksmiths, the Brush Makers, the Iron Molders, and the Printing Pressmen. The places of the strikers may even be filled and the strike thus terminated. Usually, however, such action is not necessary, as the simple withdrawal of strike benefits compels acceptance on the part of even recalcitrant local unions.

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<sup>28</sup> Proceedings, 1911, p. 178.





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